VOLUME 2

TRANSCRIPT OF RECORD

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1966

No. 101

FEDERAL TRADE COMMISSION, PETITIONER

vs.

UNIVERSAL-RUNDLE CORPORATION

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Petition for certiorari filed April 15, 1966
Certiorari granted October 10, 1966

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Summary - American Standard
Current Price Differentials Between Truckload
and Less Than Truckload Shipments

Product No.	Quantity	White	Per Cent	Colored	Per Cent
P-2185	LTL	67.88	21.18	77.60	14.64
	TL	53.50		66.25	
P-2255	LTL	53.61	16.99	57.13	14.32
	TL	44.50		48.95	
F-122	LTL	12.04	18.60	15.04	18.55
	TL	9.80		12.25	
F-321	LTL	10.22	22.70	12.78	22.54
	TL	7.90		9.90	
F-2109	LTL	29.80	16.11	37.24	16.09
	TL	25.00		31.25	
F-2120	LTL	24.91	13.69	31.14	13.62
	TL	21.50		26.90	
F-2122	LTL	24.61	20.76	30.72	20.57
	TL	19.50		24.40	
F-2124	LTL	24.61	13.65	30.72	13.57
	TL	21.25		26.55	
F-2116	LTL	23.11	22.54	28.89	22.46
	TL	17.90		22.40	
		Average	18.47	Average	17.37

Summarized from American Standard Price Sheets, (See Exhibits A - AA to Evans Affidavit)

√ Exhibit 1.

580

Summary - Elger Division of the Murray Corporation
Current Price Differentials Between Truckload
and Less Than Truckload Shipments

Product No.	Quantity	White	Per Cent	Colored	Per Cent
E-1070/75	LTL	$ 67.90		$ 77.60	
	TL	53.50	21.21	66.25	14.65
E-1120/25	LTL	67.90		77.60	
	TL	53.50	21.21	66.25	14.65
E-1180	LTL	51.80		54.60	
	TL	44.40	14.29	48.95	10.35
E-3324	LTL	10.20		12.80	
19 x 17"	TL	7.90	22.55	9.90	22.66
E-3324	LTL	12.05		15.05	
20 x 18"	TL	9.80	18.67	12.25	18.61
E-5250	LTL	24.60		30.70	
	TL	19.50	20.73	24.40	20.85
E-5254	LTL	24.60		30.70	
	TL	21.25	13.62	26.55	13.51
E-5255	LTL	29.80		37.25	
	TL	25.00	16.11	31.25	16.11
E-5270	LTL	23.10		28.90	
	TL	17.90	22.51	22.40	22.42
E-5275	LTL	23.95		29.95	
	TL	21.50	10.23	26.90	10.19
	Average		18.11		16.40

Summarized from Elger Division of the Murray Corporation Price Sheets,
(See Exhibits B - B B to Evans Affidavit)

✓ Exhibit 2

Summary - Rheem Manufacturing Co.
Current Price Differentials Between Truckload
and Less Than Truckload Shipments

Product No.	Quantity	White	Per Cent	Colored	Per Cent
225-75'	LTL	$ 67.87		$ 77.63	
	TL	57.95	14.62	66.25	14.66
232-4 5'	LTL	51.86		54.58	
	TL	44.55	14.10	46.90	14.07
847-9	LTL	12.33		13.70	
	TL	10.48	15.00	11.64	15.04
851-3	LTL	12.28		13.65	
	TL	10.44	14.98	11.60	15.01
2115-32"	LTL	21.06			
	TL	17.50	16.90		
2600	LTL	24.61		27.38	
(19 x 17)	TL	21.28	13.53	24.28	11.32
2600	LTL	27.66		30.78	
(22 x 19)	TL	23.77	14.06	27.05	12.12
G-154	LTL	12.04		15.09	
(20 x 18)	TL	9.80	18.60	12.25	18.82
G-154	LTL	10.22		12.79	
(19 x 17)	TL	7.90	22.70	9.90	22.59
G-2260-62	LTL	15.25		17.54	
	TL	12.10	20.66	13.93	20.58
G-2290-92	LTL	14.76		22.14	
(20 x 18)	TL	11.72	21.28	17.59	20.55
G-2230	LTL	29.75		37.25	
	TL	25.00	15.97	31.25	16.11
G-2210, G-2220,	LTL	24.61		30.71	
G-2240	TL	19.50	20.76	24.40	20.55
G-2300	LTL	23.11		28.89	
	TL	17.90	22.54	22.40	22.46
		Average	17.55	Average	17.22

Summarized from Rheem Manufacturing Co. Price Sheets, (See Exhibits C - CC to Evans Affidavit)

✓ Exhibit 3

582

Summary - Briggs Manufacturing - Current Price Differentials Between Truckload and Less Than Truckload Shipments

Product No.	Quantity	White	Per Cent	Colored	Per Cent
B-6421	LTL	23.00	15.22	28.70	14.98
	TL	19.50		24.40	
B-6422	LTL	23.00	7.61	28.70	7.49
	TL	21.25		26.55	
B-6423	LTL	23.00	6.52	28.70	6.24
	TL	21.50		26.90	
B-6425	LTL	27.51	9.12	34.39	9.13
	TL	25.00		31.25	
B-6432	LTL	21.59	17.13	26.98	16.91
	TL	17.90		22.40	
B-3302	LTL	9.55	17.29	11.95	17.15
	TL	7.90		9.90	
B-3312	LTL	11.23	12.73	14.08	13.00
	TL	9.80		12.25	
	Average		12.23	Average	12.13

Summarized from Briggs Price Sheets, (See Exhibits D-DD to Evans Affidavit)

Exhibit 4

Summary - Kohler Co.
Current Price Differentials Between Truckload and Less Than Truckload Shipments

Product No.	Quantity	White	Per Cent	Colored	Per Cent
K - 515 & 16	LTL	67.86	21.16	75.38	12.11
	TL	53.50		66.25	
K - 725 & 726	LTL	51.98	14.39	55.19	11.31
	TL	44.50		48.95	
K - 1746 19 X 17	LTL	10.20	21.57	12.77	22.47
	TL	8.00		9.90	
K - 1746 20 X 18	LTL	12.06	18.74	15.00	18.33
	TL	9.80		12.25	
K - 3712 EB	LTL	29.67	18.44	37.31	15.57
	TL	25.20		31.50	
K - 3712 PB	LTL	24.71	21.08	30.84	20.88
	TL	19.50		24.40	
K - 3714 PB	LTL	24.71	14.00	30.84	13.91
	TL	21.25		26.55	
K - 3716 PB	LTL	24.94	13.79	31.24	13.89
	TL	21.50		26.90	
K - 3725 PB	LTL	23.23	22.73	29.01	22.79
	TL	17.95		22.40	
		Average	18.43	Average	16.81

√Exhibit 5

Kohler
Con't.

Kohler's Wholesaler's Net Price for LTL
Discounts of 25%, 20% and 5% are applied to "List Prices"

Product No.	White	Colored
K - 515	119.05	132.25
	67.86	75.38
K - 725	91.20	95.95
	51.98	55.19
K - 1746	17.90	22.40
19 X 17	10.20	12.77
K - 1746	21.15	26.45
20 X 18	12.06	15.00
K - 3712 EB	52.05	65.45
	29.67	37.31
K - 3712 PB	43.35	54.10
	24.71	30.84
K - 3714 PB	43.35	54.10
	24.71	30.84
K - 3716 PB	43.75	54.80
	24.94	31.24
K - 3725 PB	40.47	50.90
	23.23	29.01

Prices listed on these sheets are summarized from Kohler's Price Sheets, (See paragraph 6 of Evans Affidavit and Exhibits E-EE attached thereto)

Exhibit 5

Summary - Crane Company
Current Price Differentials Between Truckload
and Less Than Truckload Shipments

Product No.	Quantity	White	Per Cent	Colored	Per Cent
1-300 20 x 18	LTL	$12.04	18.60	$15.04	18.55
	TL	9.80		12.25	
1-320 19 x 17	LTL	10.22	22.70	12.79	22.60
	TL	7.90		9.90	
3-140-10	LTL	24.91	13.69	31.14	13.65
	TL	21.50		26.90	
3-140 12"	LTL	24.67	20.96	30.82	20.51
	TL	19.50		24.50	
3-140-14	LTL	24.67	13.86	30.82	13.85
	TL	21.25		26.55	
3-141	LTL	29.80	16.11	37.24	16.09
	TL	25.00		31.25	
3-175	LTL	23.22	22.91	29.00	22.76
	TL	17.90		22.40	
2-78	LTL	67.89	21.20	77.51	14.53
	TL	53.50		66.25	
2-80	LTL	67.89	21.20	77.51	14.53
	TL	53.50		66.25	
2-100	LTL	51.87	14.21	54.60	10.37
	TL	44.50		48.95	
	Average		18.54		16.74

Summarized from Crane Co. Price Sheets, (See Exhibits F through FF to Evans Affidavit)

✓ Exhibit 6

ANSWERING INQUIRY 1314

Dun & Bradstreet ANALYTICAL Report

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134-4621 A AD I JAN 10 1964 N

AMERICAN RADIATOR & STANDARD SANITARY CORPORATION
(American-Standard)

MFG PLUMBING & HEATING FIXTURES & EQUIPMENT

40 W 40TH ST
NEW YORK 18 N Y

TEL212-0X5-5600

1899

Aa A1
Also Branches

TRADE DISC-PPT
SALES $501,144,928
WORTH $277,308,678
EMPLS 51,900

SUMMARY THIS COMPANY IS A LEADER IN ITS INDUSTRY. OPERATIONS OVER THE YEARS HAVE BEEN PROFITABLE AND A SOUND FINANCIAL CONDITION HAS BEEN MAINTAINED.

TRADE Trade reports over the years have indicated that this company has discounted its bills or met its obligations within terms and that credit is granted in substantial amounts.

BANKING Principal accounts maintained with several New York City and out-of-town banks. Company has borrowed from the banks under long term unsecured credit agreements. During November 1963 borrowed $20,000,000 due in three years. Bank comment is favorable.

ANALYSIS This company holds a position of prominence in its industry. Operations over the years have been profitable. In 1960, there was a considerable drop in the net earnings. During that year there was a slow down of home building in the United States. Intense competition for the lower amount of business available resulted in weakened prices. In 1961 there was a moderate decrease in sales which was due in part to selling the assets of the Youngstown Kitchens Division and to general industry conditions. Effects of the cost-price squeeze continue to be felt. For 1962, sales improved. However, competitive pricing was felt in the industry domestically.

The figures of December 31, 1962 show a sound financial condition. As brought out under the paragraph in the CD report concerning "Depreciation Policy" the company computed the figures in the CD report on the basis of straight-line depreciation whereas, accelerated depreciation is used for income tax purposes. The tax savings derived is credited to deferred taxes on income. During 1962, net earnings before depreciation amounted to $28,650,161. Further additions to working capital resulted from deferred taxes on income of $2,162,353 and other items amounting to $657,928. This was applied against capital expenditures of $25,141,699, dividends paid $9,401,589, investment in foreign companies $335,064 reduction in long term debt $6,260,885 and acquisition of Treasury stock $3,041,995. Total working capital applications amounted to $41,161,232 resulting in a decrease in the net working capital of $12,680,790.

CURRENT Consolidated operating results for the nine months ended September 30:

	1963	1962
Net Sales	$ 387,958,459	$ 368,330,580
Net Profit	11,498,599	8,146,559

(CONTINUED)

Exhibit 7-71

PLEASE NOTE WHETHER NAME, BUSINESS AND STREET ADDRESS CORRESPOND WITH YOUR INQUIRY
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Mbr1 0-60

CURRENT
(Cont'd)

Company reported to the New York Stock Exchange that on October 3, 1963, it reacquired 1,217,999 shares of its common stock tendered under purchase offer at $19 a share.

Company borrowed $20,000,000 from banks, due in three years, at the prime rate, with no restrictions on dividends or working capital requirements. Proceeds were used to purchase common shares under above tender offer and for other corporate purposes.

November 7, 1963, company's plumbing and heating division announced plans to close its Cook St. Brass Foundry in Cincinnatti in about fifteen months. The division also said it would modernize its Louisville, Ky. Brass Foundry.
1-10-64 (543 24) L97 2824 3A40 3824 6846 R41 (200+)

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588

Dun & Bradstreet Report

FINANCIAL STATEMENT

In the interest of speed financial statements are issued as received. These figures are subsequently to be reviewed in relation to rating and included in the report when revised.

34x32 134-4261 A ST 1 MAR 13 1964 N
34 33 AMERICAN RADIATOR & STANDARD SANITARY CORPORATION
35 67 (American-Standard) MFG PLUMBING & HEATING FIXTURES & EQUIPMENT
34 43
24 99 40 W 40TH ST
[illegible] 22 NEW YORK 18 N Y

AMER. RADIATOR & STAND. SAN. CORP.

Consolidated Income Account, years ended Dec. 31:

	1963	1962
Net sales	$527,537,098	$500,088,234
Other income	1,250,298	1,056,694
Total	528,787,396	501,144,928
Cost of sales	400,545,517	396,170,630
Sell. & adm. exp.	97,320,965	83,217,362
Research & dev. exp.	7,360,982	7,454,986
Depreciation	16,257,814	15,681,563
Interest	529,424	841,679
Fed. income tax	20,100,000	14,800,000
Net profit	16,674,527	13,058,598
Earn. surplus, 1-1	161,601,762	157,944,753
Preferred divs.	307,048	307,048
Common divs.	8,747,225	9,094,541
Earn. surp., 12-31	169,221,816	161,601,762
Times pfd. divs.		42.53
Earn., pfd. share	$380.14	$297.71
Earn., com. share	[1]1.64	1.13
Cash flow, com. sh.	[2]3.47	2.83
No. of pfd. shares	43,864	43,864
No. of com. shares	9,999,237	11,271,001
	[1]$1.50 on 10,940,880 aver. shs.	[2]$3.17 on aver. shs.

Note: Net sales and net income of fgn. subs. amounted to $194,373,273 and $12,497,054 in 1963 and $158,854,288 and $9,307,769 in 1962. Divs. received from fgn. subs totaled $6,995,356 in 1963 and $5,490,204 in 1962, after withholding taxes of $739,895 and $568,138 respectively.

Consolidated Balance Sheet, as of Dec. 31:

Assets:	1963	1962
Cash	$33,324,741	$28,443,001
Mkt. secur., cost	6,356,871	13,031,536
Receivables, net	70,478,925	67,760,197
[1]Finished goods	52,942,695	59,486,365
[1]Wk. in process	21,608,290	20,811,730
[1]Raw materials	22,202,681	22,167,148
[1]Supplies	8,000,301	8,686,594
Prepayments	1,741,791	1,641,262
Total current	$216,856,905	$221,356,951
[2]Net property	142,424,339	142,452,307
Inv. Brat. sub.	3,692,138	2,907,281
Def. chgs., etc.	5,191,631	6,643,590
Total	$368,165,013	$373,360,129
Liabilities:		
Accts. pay., etc.	$51,391,967	$47,537,984
Notes payable	178,500	6,231,780
Income taxes	18,709,221	15,945,220
Total current	$70,430,788	$69,714,989
Notes payable	11,944,550	13,453,075
Fgn. oper. res.	14,875,071	14,864,586
Def. income tax	3,554,723	3,542,504
Minority interest	4,515,618	4,448,378
7% pfd. stk. ($100)	4,386,400	4,386,400
Com. stock ($5)	58,549,680	58,549,680
Capital surplus	30,128,112	30,128,112
Earned surplus	169,221,916	161,601,762
Total	291,286,108	283,665,954
[3]Repcq. stock	30,442,243	6,357,276
Net stk. & surp.	260,843,865	277,308,678
Total	$368,165,013	$373,360,129
Net current assets	$146,426,117	$151,641,962
[1]Net tg. com. sh.	$25.52	$25.82
[2]Depreciation	$171,249,738	$165,730,660

[3]Incl. $45,067,862 (1962, $50,818,843) at (lifo) which is less than curr. replace. cost, other lower cost or mkt. (fifo or aver. cost). [1]After pfd. liq. val., $175 a sh. [2]1,710,689 (1962, 439,-936) com. shs. at cost.

3-13-64 (582) L97

Exhibit 7 Pg 3

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588-5 (50858)

ANSWER INQUIRY -1379

Dun & Bradstreet ANALYTICAL Report

SIC | NAME & ADDRESS | STARTED | RATING UNCHANGED

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34 32
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607-3225
KOHLER CO (INC)
HIGH ST
KOHLER WIS SHEBOYGAN COUNTY
TEL414-457-4441-

A AD 32 APR 28 1964 N
MFR PLUMBING FIXTURES, ENGINES, ELECTRIC PLANTS, VALVES & FITTINGS

1873

Aa A1
Also
Spartanburg,
So Carolina

H

TRADE	DISC-PPT
SALES	$60,000,000
WORTH	$42,334,514
EMPLS	4,000 (3,500 HERE)

SUMMARY

THIS OLD ESTABLISHED COMPANY HAS BECOME ONE OF THE LEADERS IN ITS LINE. SALES FOR MANY YEARS HAVE BEEN ON A HIGH LEVEL WITH OPERATIONS PROFITABLE. A CONSISTENTLY ATTRACTIVE FINANCIAL STATEMENT HAS BEEN MAINTAINED WITH SUBSTANTIAL FIXED ASSETS HELD FREE OF ENCUMBRANCE. AMPLE WORKING CAPITAL IS AVAILABLE FOR ITS NEEDS.

TRADE

HC	OWE	P DUE	TERMS		
95000			½-10-30	Apr 6 1964 Disc	SOLD Over 3 yrs to 12-63
43800	16100		½-10-25-30	Disc	Over 3 yrs to 3-64
25000	19500		30-½-10-25	Disc	Over 3 yrs to 2-64
3000			½-Semi	Disc	Over 3 yrs to 10-63
J589	82		2-10-30	Disc	2 yrs to 2-64
Subtanl			30-½-10	Disc	Over 3 yrs to 1-64
76000	36000		30	Ppt	Over 3 yrs to 3-63
49247			1-10-30-30	Ppt	Last sale 12-63
16000	8000		30	Ppt	Over 3 yrs
8800	300		10 prox	Ppt	Over 3 yrs to 2-64
5000	1000		30	Ppt	Over 3 yrs to 2-64
3000	1000		10 prox-20 prox	Ppt	Over 3 yrs to 2-64
2543	400		30	Ppt	Over 3 yrs to 2-64
1000			30	Ppt	Over 3 yrs to 1-64
500			30	Ppt	Over 3 yrs

BANKING

Depository accounts are maintained at banks located at two Chicago, two New York, one Milwaukee and two Sheboygan; in the aggregate moderate seven figure balances are maintained. Deposits are also carried at various branch locations for minor purchase items. From the spring of 1950 up to and including 1957 no loans were used. In 1958 and in subsequent fiscal years straight note bank loans were used and regularly retired. At Dec 31 1963 all long term loans were paid but it had current borrowings at that date of $2,000,000 which have since changed to $3,000,000. Borrowings are on a straight note basis.

CURRENT

On Apr 17 1964, Walter L. Cleveland, Treasurer, declined a financial statement. Indirectly it was reported that sales in 1963 were ahead of the previous year and operations were profitable. Formerly the company had long term indebtedness but this was retired in 1963 for current operations it has used borrowings on a straight note basis which at Dec 31 1963 were $2,000,000. Outstanding bank loans at present are $3,000,000 which are used for build up of inventories during the spring months for the heavy sales during the summer months.
4-28-64 (434 226)

√ Exhibit 8 by 1

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MRe-1 (1-63)

KOHLER CO (INC)
KOHLER WIS

A CD Page 1

Company officials declined financial statements but following comparatives prepared on fiscal statements taken from out of state file records. Auditors understood to Ernst & Ernst, CPA's, Chicago, Ill.

FINANCIAL STATEMENTS

	Dec 31 1960	Dec 31 1961	Dec 31 1962
CASH	$ 3,075,791	$ 2,525,003	$ 3,837,273
MARKETABLE SECURITIES			
NOTES RECEIVABLE	194,221	196,022	218,839
ACCOUNTS RECEIVABLE	3,769,448	4,355,230	4,993,639
INVENTORY	13,154,790	12,597,736	12,622,337
OTHER CURRENT ASSETS			
TOTAL CURRENT ASSETS	20,194,250	19,673,991	21,672,088
FIXED ASSETS	30,260,089	29,532,817	29,220,865
INVESTMENTS	3,646	3,915	4,357
PREPAID—DEFERRED	674,804	598,705	852,025
Treasury Stock	6,307,530	6,326,630	6,425,041
OTHER ASSETS	1,326,902	1,227,866	903,909
TOTAL ASSETS	58,767,228	57,363,933	59,078,294
DUE BANKS	3,000,000	500,000	-
NOTES PAYABLE			
ACCOUNTS PAYABLE	2,820,798	2,924,574	4,301,587
ACCRUALS	353,733	353,720	200,000
TAXES (Except Federal Income)	)	)	)
FEDERAL INCOME TAXES	) 758,024	) 1,304,354	) 1,220,807 —
LONG TERM LIABILITIES (Current)	-	-	2,000,000
OTHER CURRENT LIABILITIES			
TOTAL CURRENT LIABILITIES	6,932,555	5,082,648	7,722,394
LONG TERM LIABILITIES	4,000,000	4,000,000	2,000,000
Def Investment Cr	-	-	446,343
RESERVES	150,000	150,000	150,000
PREFERRED STOCK	2,188,300	2,188,300	2,188,300
COMMON STOCK	20,000,000	20,000,000	20,000,000
CAPITAL SURPLUS			
EARNED SURPLUS	25,496,372	25,942,983	26,571,255
NET WORTH (Prop or Part)			
TOTAL LIABILITIES	58,767,228	57,363,933	59,078,294
NET WORKING CAPITAL	13,261,695	14,591,343	13,949,694
CURRENT RATIO	2.91	3.87	2.80
SIBLE NET WORTH	41,377,142	41,804,653	42,334,514
USED: D-DEFICIT, L-LOSS			

Inventories valued at the lower of cost or market. Receivables shown less reserve for doubtful accounts over $300,000; fixed assets shown at cost less reserve for depreciation which is estimated in excess of $15,000,000. Fire insurance on buildings and contents over $30,000,000; co-insurance of reproductive cash values. No contingent liabilities.
12-2-63

(CONTINUED)

Exhibit 8 pg 2
591

KOHLER CO (INC)
KOHLER WIS

A CD Page 2

ANALYSIS This organization has become one of the leaders in the plumbing fixture line with a clear record dating back to 1873. In addition to plumbing ...tures, the company manufactures engines which are used by manufacturers of cultivators and lawn mowers; electric and generator plants; precision and control valves and fittings. The products have been kept in line with the most modern designs and the plant facilities have been kept up to date. With heavy demand arising from the high rate of building construction and expansion of the national economy, sales have been estimated at over $60,000,000 annually.

This company has operated successfully for many years and through retention of a portion of the earnings tangible net worth moved upward. To provide for the increased sales and for lower operating costs the company has added and improved its fixed assets through additional buildings and modernization programs of new machinery and equipment. From December 31, 1947 until December 31, 1957 the net fixed assets increased about $20,000,000 and they were financed entirely out of earnings. In 1956 construction was started on a new 500,000 square foot plant at Spartanburg, So. Carolina on a 250 acre tract. The cost of this plant was in excess of $7,000,000; makes vitreous china plumbing fixtures and the new location has access to some of the major markets with savings in freight costs. It also remodeled the plant at Kohler, Wis. at cost of about $1,500,000 for vitreous china plumbing fixture line. The fixed asset expansion at the time was financed out of earnings and net working capital.

In 1960 the company completed at Kohler, Wis. a building containing 500,000 square feet for its engine and electric plant production. These facilities were transferred from one of its former plants which is now used for warehouse purposes. The cost of the new building was approximately $5,000,000. In 1960 it also started erection of a pattern plant building containing 108,000 square feet of floor space which was completed in 1961. In fiscal 1962 fixed assets were mainly through replacement of additional machinery and equipment and expenditures were moderately less than provisions for depreciation. To finance the fixed asset expansion in 1959 the company procured long term borrowings of $4,000,000 of which $2,000,000 is payable in 1963 and $2,000,000 in 1964. The long term borrowings kept the net working capital at a favorable level.

Production is quite steady throughout the year with inventories built up during the first six months of the year for heavy plumbing shipments during the summer and fall months. Inventories are well proportioned in relation to net working capital. Trading assets turn actively and with the aid of seasonal straight note bank loans, ample funds are made available for the discount or prompt retirement of trade bills.
12-2-63

(CONTINUED)

Exhibit 8 pg 3
592

KOHLER CO. (INC)
KOHLER WIS

A CD Page 3

MANAGEMENT Herbert V. Kohler, Chrm of Brd
J. Leslie Kuplic, Pres
John M. Kohler, V Pres
Walter L. Cleveland, Treas
John A. Ehren, Asst Treas
Lyman C. Conger, V Chr of Brd & V Pres
Lucius P. Chase, V Pres
Gerard A. Desmond, Sec
Edward J. Hammer, Asst Sec
DIRECTORS: Lucius P. Chase, Walter L. Cleveland, Lyman C. Conger, Gerard A. Desmond, Norman R. Held, Mrs. Dorothy Dings Kohler, Herbert V. Kohler, John M. Kohler, J. Leslie Kuplic and Edgar J. Pohland.

HISTORY Incorporated: Founded 1873 by John Michael Kohler at Sheboygan, Wis.; incorporated Wisconsin laws January 17, 1887 as Kohler, Hayssen & Stehn Mfg Co. In 1898 plant opened at Kohler, Wis.; 1901 name changed to J. M. Kohler Sons Co.; also headquarters moved to Kohler; January 10, 1903 name changed to Kohler Co. Original capital $75,000 and various changes of increased capitalization followed. Authorized Capital Stock: 40,000 shares 4% cumulative preferred par value $100 ($4,000,000) and 200,000 shares common no par value stock.
Outstanding Capital Stock: At December 31, 1962 21,883 shares preferred ($2,188,300) and 200,000 shares common at stated value $20,000,000 less treasury stock $6,425,041.
Control: This is a close corporation with control vested in the officers and directors.

Herbert V. Kohler, native born 1891, widower, son of founder, John Michael Kohler. Graduate Sheffield Scientific School, Yale University in 1914 and since active full time with the company. 1937 became President and 1940 also Chairman of Board but relinquished the Presidency in 1962 but continued as Chairman of the Board and chief executive officer. During World War I served with the A.E.F. in France as Captain of Field Artillery.

Lyman C. Conger has been active with the company since 1920; elected Assistant Secretary 1947 and 1958 Vice President. Is an attorney and attends to legal matters for the corporation.

J. Leslie Kuplic born September 23, 1911 in Manitowoc, Wis., married. Is an alumnus of Beloit College. In 1943 came with Kohler Co. in the torpedo tube department; was in time study department; 1953 became superintendent of shell department; later in charge of pottery and manufacture of engine and electric plants; a director November 30, 1950; 1961 Vice President in charge of production and July, 1962 President.

Lucius P. Chase born January 1, 1902, started with the company August 16, 1926. Was Colonel in Infantry, U.S Army, World War II. Has been in the legal department; was a director and elected a vice president November 30, 1960.

John M. Kohler born 1902, married, son of late Walter J. Kohler. Duties are administrative. Director Security First National Bank, Sheboygan.

Gerard A. Desmond born July 28, 1912, married. Started with company 1944 and was in legal department; 1958 assistant secretary and November 30, 1960 Secretary.

Walter L. Cleveland born 1916, married. Graduate University of Wisconsin. Is a CPA. 1946-1952 employed by Ernst & Ernst. 1953-1958 controller Bucyrus-Erie Co., South Milwaukee, Wis. 1959 came with Kohler Co. as controller and 1963 elected a Treasurer and a director.

Edward J. Hammer, born April 8, 1924, married. On June 23, 1952 started with the company in accounting capacities and December 19, 1959 elected Assistant Secretary and in 1962 a director. John A. Ehren aged about 60 and employed in accounting department most of commercial life; 1958 Assistant Treasurer.
12-2-63

(CONTINUED)

I Exhibit 8 by 4 593

HISTORY (Cont'd) Norman R. Held was elected a director in 1963. He is manager of plumbing sales. Mrs. Dorothy Dings Kohler widow of the late Carl G. Kohler was elected a director in 1960. Edgar J. Pohland elected a ector in 1962; he is in charge of purchases.

A former sales subsidiary, Mountain States Supply Co., Salt Lake City, Utah, was sold to others in July, 1956.

FIRE RECORD In 1900 plant was destroyed by fire with damage of approximately $75,000 which was covered by insurance. Business prior to its incorporation also sustained a fire damage in 1880. Various small fire damages in subsequent years.

OPERATION Manufactures enameled cast iron and vitreous china plumbing fixtures, brass plumbing fixtures, electric plants, industrial engines one, two and four cylinders, and precision valves and fittings.

Distribution: Through jobbers and dealers; normal market is largely residential buildings, modernizing apartments, hotels and hospitals. Electric light plants as stand-by electric equipment; engines for lawn mower and other small motor purposes.
Territory: United States; and foreign to Greece, Turkey, Central and South America and Far East.
Accounts: 2,500.
Terms: 2-15th prox. Foreign sales on letters of credit.
Seasons: Production fairly even throughout the year with inventory build up during the first six months for heavy plumbing sales during the summer and fall months.
Salesmen: About 110 and work out of various branch sales offices and act more in capacity of assistants to architects and contractors.
Employees: 4,000 of which about 3,500 are at Kohler, Wis.

Facilities: Owns a group of modern buildings brick reinforced concrete-steel construction. It has foundries, machine shops, enameling plants, pottery, brass plant, warehouses and offices. Buildings cover over 60 acres of ground. Railroad facilities C & N W R.R.

Branch Plant: During the latter part of 1958 occupied a newly completed owned plant at Spartanburg, S. C. Plant contains about 500,000 square feet and is on a 250 acre tract. It produces vitreous china plumbing fixtures.

Branch Sales Offices maintained at:

Boston, Mass	Los Angeles, Calif	Richmond, Va.
Chicago, Ill.	Milwaukee, Wis	St. Louis, Mo
Cleveland, Ohio	Minneapolis, Minn	San Francisco, Calif
Detroit, Mich	Newark, N.J.	Seattle, Wash.
Houston, Tex.	New York City, N.Y.	Washington, D.C.
Kansas City, Mo.	Philadelphia, Pa.	

Showrooms are maintained at all branches except Houston, Richmond and Washington, where only sales offices are maintained. Owns warehouse-Newark, N.J.
12-2-63 (434 226) (110)

Exhibit 8 Pg. 5

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ANTHONY INQUIRY 1/59M

Dun & Bradstreet ANALYTICAL Report

NAME & ADDRESS — STARTED — RATING CHANGED

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34 32
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146-8347 — A - AD 1 FEB 20 1964 N

MURRAY CORPORATION OF AMERICA, THE — MFG PLUMBING WARES & FABRICATED METAL PRODUCTS & ASSEMBLIES — TEL212-C05-2780 — 1926 — Aa A1 Also Branches

INQUIRY
00 FIFTH AVE
NEW YORK 20 N Y

H
N

TRADE — DISC-PPT
SALES- — $36,491,965
WORTH- — $49,323,725
EMPLS — 1800 (20 HERE)

SUMMARY THIS IS A WELL ESTABLISHED COMPANY UNDER EXPERIENCED MANAGEMENT. CONSOLIDATED PROFITS INCREASED IN 1963. SALES SHOWED A SIZABLE DECLINED. HOWEVER, THIS WAS DUE TO THE DISCONTINUANCE OF TWO LESS PROFITABLE DIVISIONAL OPERATIONS. CONDITION WAS SOUND AND NET WORKING CAPITAL AND NET WORTH BOTH INCREASED IN FISCAL 1963. BANK AND TRADE RELATIONS FAVORABLE.

TRADE

HC Ex	ONE	P DUE	TERMS	Dec 31 1963	SOLD
100000			30-1/-10	Disc	
33000			30-1/-10	Disc	Over 3 yrs
7000			30-1/-10	Disc	Over 3 yrs to 9-63
4000			30-1/-10	Disc	Over 3 yrs to 3-63
3000	1000		1-10-30	Disc	Over 3 yrs
23248			10th-Prox	Ppt	Over 3 yrs
18330	18330			Ppt	
11000	6700		15th-Prox	Ppt	Over 3 yrs
5000			30	Ppt	Over 3 yrs to 3-63
100			30	Ppt	Over 3 yrs to 6-63

BANKING Account maintained at three local and five out of town banks where aggregate balances are in substantial proportions. All accounts are routine; no borrowings utilized.

CURRENT Management's representative refers to published information as being the latest released. The company has released the following income figures for the quarter ended November 30th:

Quarter Ended	Net Sales	Net Income
Nov. 30, 1963	$ 8,015,116	$ 523,554
Nov. 30, 1962	11,216,422	278,110

The above figures continue to reflect increased earnings on lower sales. This is primarily due to the discontinuance of two divisions, The Triplex Division and the Easy Division during 1962 and 1963 respectively. Both of these divisions were less profitable than others and the closing of the two divisional operations has resulted in increased earnings on lower sales.

Bank and trade relations continue favorable.
2-20-64 (971 60) L 06 13A42 5A1 1383 (153)

Exhibit 94-1

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BORG-WARNER CORPORATION OF AMERICA, THE
NEW YORK 20, N. Y.

A CD Page 1

The following figures were prepared from balance sheets contained in Annual Reports to Stockholders. Accountants: Arthur Young & Co., C.P.A.'s, New York, N. Y.

FINANCIAL STATEMENTS

	Aug 31 1961	Aug 31 1962	Aug 31 1963
Cash	$ 9,580,395	$13,356,645	$19,270,929
Marketable Securities	2,980,691	2,250,807	8,433,508
Accounts Receivable	7,280,583	8,410,141	4,797,261
Inventory (Lower of Cost or Market)	13,746,432	10,621,498	6,312,843
Income Tax Refund	592,319		
TOTAL CURRENT ASSETS	35,140,631	34,639,091	38,854,541
Fixed Assets	17,402,285	14,973,591	11,360,194
Investments	(B) 208,325	(C) 28,348	(C) 91,171
Prepaid-Deferred	457,836	329,061	175,114
Tools & Dies	575,196	625,338	448,147
Other Assets		1,835,530	1,587,292
TOTAL ASSETS	52,790,273	52,430,959	52,716,459
Accounts Payable	1,945,690	1,774,983	1,165,306
Accruals	1,526,587	1,661,122	1,463,861
Taxes (Except Fed. Inc.)	580,581		
Federal Income Taxes		457,721	315,422
TOTAL CURRENT LIABILITIES	4,052,858	3,893,826	2,944,587
Common Stock	10,122,000	9,311,000	9,354,000
Capital Surplus	6,675,685	5,264,568	5,329,730
Earned Surplus	32,938,730	33,961,565	35,088,142
TOTAL LIABILITIES	52,790,273	52,430,959	52,716,459
NET WORTH (Tangible)	$ 49,093,773 (A)	30,745,265	35,909,954
Earnings Per Share	8.67	8.08	13.16
Working Capital	49,182,221	47,911,795	49,323,725
Res. for Depreciation		15,010,504	14,683,458
Res. for Bad Debts		432,500	227,646

(A) Intangibles - Excluded in computing Tangible net worth. (C) Includes miscellaneous notes and accounts receivable. Marketable securities represent U.S. Government securities at cost. Accounts receivable are listed net less reserves of $227,845. Basis of inventory valuation lower of cost or market on first-in, first-out bases. Inventory is comprised of Finished Goods $3,174,349; Work in Process and Materials (Raw) $2,645,038 and Manufacturing Supplies $492,456. Fixed assets are listed net less reserves for depreciation of $14,683,458. No contingent liabilities reported.
2-20-64

(CONTINUED)

596 February 64 2

MURRAY CORPORATION OF AMERICA, THE
NEW YORK 20 N Y

A CD Page 2

INCOME STATEMENTS AND SURPLUS RECONCILIATIONS

FOR THE YEARS ENDED		Aug 31 1961	Aug 31 1962	Aug 31 1963
Net Sales		$42,828,307	$48,078,651	$36,491,965
Cost of Goods Sold		36,449,707	40,306,690	29,777,502
Gross Profit		6,378,600	7,771,961	6,714,463
Expenses		8,515,034	7,108,959	4,990,621
Net Income on Sales	(L)	2,136,434	663,002	1,723,842
Other Income		261,879	359,833	576,257
Special Charges		2,976,053		
Federal Income Taxes	(CR)	(536,314)		390,000
FINAL NET INCOME	(L)	4,314,294	1,022,835	1,910,099
SURPLUS - START		37,253,024	32,938,730	33,961,565
Add: Net Income			1,022,835	1,910,099
Deduct: Net Loss Adjustments		4,214,394		783,522
SURPLUS - END		32,938,730	33,961,565	35,088,142

(L) Loss. (CR) Credit.

ANALYSIS The above figures showed a consolidated financial position of the company and its two wholly-owned subsidiaries at each of the above statement dates.

The August 31, 1963 financial statement reflects increased earnings on decreased sales. The decline in volume resulted from the closing of the Triple-X Division in May of 1962 and the sale of the Easy Division in January 1963. Both of the discontinued divisions were operating at losses in recent years. Net working capital and net worth both increased in 1963.

The statement shows the maintenance of a sound financial condition with cash balances at $19,270,929 more than adequate to cover total liabilities of $2,944,587.

In the above balance sheets, other assets 1962 and 1963 represent the remaining net assets of the Divisions being liquidated at estimated net realizable value. The capital surplus account increased $65,162 in 1963 representing the excess ($137,626) of sales price over par value of $7,900 Treasury shares sold, less the excess ($72,464) of purchase price over par value of 3,600 shares of common stock acquired for the Treasury. In 1962 capital surplus decreased $1,411,117 due to the purchase of 31,200 shares.

Subsequent to statement date the Board of Directors has approved a plan of cash distribution and recapitalization which provides for payment of $14 per share to stockholders which would approximate $13,100,000, a reduction in par value of common stock from $10 to $7.50 per share and a corresponding reduction in stockholders equity. This plan was presented to and approved by stockholders at the company's annual meeting in December, 1963. An initial dividend of 25¢ per share declared on $7.50 par value common stock was payable January 15, 1964 to stockholders of record as of December 31, 1963.

-20-64

(CONTINUED)

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597

Dun & Bradstreet ANALYTICAL Report

SIC | NAME & ADDRESS | STARTED | RATING UNCHANGED

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128-0726
CRANE CO (INC)

300 PARK AVE
NEW YORK 22 N Y

A AD I JUNE 8 1964 N
MFG & WHOL VALVES FITTINGS FABRICATED PIPE PLUMBING FIXTURES HEATING & AIR CONDITIONING EQUIPMENT FLOW CONTROL & WATER TREATMENT SYSTEMS
TEL212-PL2-3600

L959 Aa A1
Also Branches

TRADE DISC-PPT
SALES- $337,365,571
WORTH- $129,792,742
EMPLS 19,429

SUMMARY THIS COMPANY HOLDS A PROMINENT POSITION IN ITS INDUSTRY. SALES AND EARNINGS BOTH INCREASED IN 1963 OVER THE PRIOR YEAR. A SOUND FINANCIAL CONDITION IS MAINTAINED.

TRADE Trade reports over the years have indicated that this company has discounted its bills or met its obligations within terms and that credit is granted in substantial amounts.

BANKING Accounts are maintained with approximately 200 banks, the most important of which are located in New York City and Chicago, Illinois. Aggregate balances are substantial. In February, 1963, 16 banks entered into a seven year unsecured $35,000,000 credit agreement. Loans have been utilized and satisfactorily handled.

CHANGES Donald R. De Veaux, Charles E. Eble and Leonard G. Dore have been elected Vice Presidents and Norman Pacun was elected Secretary and general counsel, succeeds F. L. Luce.

De Veaux-is a graduate of Princeton University, 1949 B.S. in Engineering Degree. Served in United States Navy. Is a member of the American Society of Civil Engineers. Before joining Crane Co., was with Esso Standard Oil at Linden, N.J. He was supervisor of the operations of Crane Engineers Products Group which includes Cochrane Division of Philadelphia, Pennsylvania, the Deming Division of Salem, Ohio, the Midwest Piping Division of St. Louis, Missouri, Swartout Division of Hooksett, New Hampshire and the Chapman Valve Division at Indian Orchard, Massachusetts.

Eble, born 1923. Formerly employed in the sales department of Midwest Piping Co. Inc., which was acquired by the subject in 1961.

Dore has been with Crane Ltd. since 1949 and previously was Controller of Crane Ltd., England. In addition to new position, he will serve as Deputy Chairman of the English subsidiary.

Pacun, formerly was Assistant Secretary and assistant general counsel. Born 1931 graduate of Harvard University, LL.B. Admitted to New York Bar in 1959. He was assistant secretary and assistant general counsel for the company, elected Secretary in 1964.

Lewis T. Seiler was elected a director, succeeds Robert Heller, who has retired. Seiler is President of Associated Dry Goods Corporation.

ANALYSIS This company holds a prominent position in its field. The business was started over a century ago with present management acquiring control in 1959, since the latter time, a number of changes have been made. Certain

6-8-64 (CONTINUED)

Exhibit 10 pg 1

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ANALYSIS (cont'd)

departments or subsidiaries which had not been profitable were discontinued or sold, part of the distribution system of the company controlled warehouses were sold, coverage in those areas now being handled through independent distributors. Companies in related lines have been acquired and some operations have been removed from high cost facilities and consolidated at other plants. Specific figures have not been made available, but the company is understood to realize approximately $5,000,000 from the businesses or assets sold whereas businesses acquired and new facilities constructed have been at a cost of close to $50,000,000. During 1959 the company purchased and retired the remaining $17,176,000 of outstanding debentures and in recent years the company has made purchases of its outstanding common and preferred stock. During 1963, the company acquired 96,550 shares of its common stock at a cost of $5,159,000 and issued 3,700 shares under option agreements for consideration of $142,000, resulting in a net decrease of 92,850 shares outstanding. During the year, 6,680 shares of preferred stock were acquired at a total cost of $559,000. To finance the expansion and acquisition program the company formerly had a $45,000,000 long term line of bank credit available. A new agreement provides for a $35,000,000 nine year line of bank credit and was entered into on February 20, 1963, replacing the previous bank term loan outstanding at that date in the amount of $28,700,000.

The figures of December 31, 1963, contained in the ST report, continue to show a sound financial condition. The item "Investments" consisted of investment in foreign Dutch affiliate, cost of $1,497,382; investment in a Spanish subsidiary not consolidated carried at $2,100,400; mortgage notes receivable $929,748 and other investments at cost of $425,958.

Late in 1963, the company acquired an 88% interest in Fundiciones Ituarte, S.A., a valve manufacturing company operating in Bilbao, Spain. This controlled company has approximately 500 employees and has 7 branch warehouses throughout Spain.

Long Term Debt:	1963	1962
Bank loan, payable $875,000 quarterly through May 1, 1971 and $1,750,000 quarterly from August 1, 1971 through May 1, 1972 plus interest, currently at 4 3/4%	$ 29,750,000	$ 23,305,000
Miscellaneous-payable by foreign subsidiaries	1,536,587	866,159
	31,286,587	24,171,159

CURRENT

Operating results for the three months ended:

	1964	1963
Net Sales	$ 83,364,000	$ 76,696,000
Net Earnings	1,076,000	653,000

6-8-64 (543 033) L97 (508)

V Exhibit 16 Pg 2

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Dun & Bradstreet Report

FINANCIAL STATEMENT

In the interest of speed financial statements are issued as received. These figures are subsequently to be reviewed in relation to rating and included in the report when revised.

34x94
34 32
35 85
90 74

128-0726
CRANE CO. (INC.)

300 PARK AVE
NEW YORK 22 N Y

A ST I APR 9 1964 N
MFG & WHOL VALVES FITTINGS, FABRICATED PIPE PLUMBING FIXTURES HEATING & AIR CONDITIONING EQUIPMENT FLOW CONTROL & WATER TREATMENT SYSTEMS

CRANE CO.

Consolidated Income Account, years ended Dec. 31:

	1963	1962
Net sales	$337,265,571	$333,766,863
Cost of exps.	317,258,528	317,843,714
Depreciation	7,406,845	8,383,194
Operating profit	12,600,168	7,739,953
Asset disp., net	cr 32,350	cr 401,935
Other income	98,366	440,758
Total income	12,431,004	8,582,646
Interest (net)	1,927,430	1,834,574
Income taxes	6,256,228	3,732,660
Net income	5,447,378	3,094,032
Earn. surplus, 1-1	91,491,293	96,085,733
Preferred divs.	334,430	348,168
Common divs.	2,486,380	2,471,840
Disct. pfd. stock	cr 109,419	cr 171,891
Com. stock prem.	2,856,428	3,440,255
Prov. fgn. contlng.		2,500,000
Earn. surplus 12-31	[1]91,540,842	91,491,293
Times p/d. divs.	16.79	9.17
Earn., pfd. share	$64.53	$33.06
Earn., com. share	4.35	2.21
Cash flow, com. sh.	10.68	8.73
No. of pfd. shares	84,413	91,093
No. of com. shares	1,192,430	1,285,270

[1]$26,346,834 unrestricted.

Consolidated Balance Sheet, as of Dec. 31:

Assets:	1963	1962
Cash	$13,946,934	$18,015,180
Receivables, net	46,559,183	44,508,407
[1]Raw mater., etc.	9,538,259	9,278,426
[1]Wk. in process	27,134,304	24,908,554
[1]Finished goods	34,579,730	30,311,743
Total current	$131,858,512	$127,002,569
Land	5,751,892	5,953,328
Bldgs. & improv.	54,891,404	54,976,222
Mach. & equip.	108,515,546	100,582,555
Total	[2]169,908,842	161,562,105
Depreciation	103,694,263	85,787,829
Net property	65,304,479	65,864,276
Investments	4,953,098	2,828,402
Deferred charges	991,580	1,682,367
Total	$201,108,069	$197,977,614
Liabilities:		
Accounts payable	$15,896,627	$11,726,000
Accruals	9,331,201	9,868,316
Income taxes	4,853,082	9,245,387
Bank loan due	8,308,549	12,586,127
Total current	$38,389,379	$39,376,490
Bank loan, etc.	31,286,587	34,171,159
Fgn. contlng. res.	482,152	482,152
Minority interest	1,166,209	1,215,370
3½% pfd. ($100)	8,441,300	9,109,300
Com. stock ($333⅓)	39,810,560	39,131,750
Earned surplus	91,540,842	91,491,293
Total	$201,108,069	$197,977,614
Net current assets	$93,469,133	$87,626,079
Net tang. cons.	$101.77	$96.18

[1]$23,530,340 (1963) ($25,633,013) (lifo) in U. S. other lower cost or mkt.

Exhibit 10 pg 3

4-9-64 (582) L97

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999-5 (58582)

600

Dun & Bradstreet Report

SPECIAL NOTICE

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537-9300 A SN 13 MAY 7 1964 N
BRIGGS MANUFACTURING COMPANY (INC) MFG PORCELAINIZED STEEL & VITREOUS CHINA PLUMBINGS WARE & BRASS FITTINGS 1909 Aa 1½ Also Branchos

6600 E 15 MILE RD
(STERLING TWP) WARREN MICH

COMMENT ON FIRST QUARTER OPERATING RESULTS

Milton J. Stevens, chairman of the board, speaking at the annual meeting of stockholders May 5, 1964 stated that the company's sales in the first three months of 1964 were 25% ahead of the year ago. He said he had "no idea" what the company earned in the quarter or whether there was a profit or loss. In the first quarter of 1963 Briggs reported sales of $4,651,299 and a net loss of $114,815.

Of the 1,076,834 shares of stock outstanding, 353,274 shares are owned by Republic-Transcon Industries Inc., giving that company working control. According to the Briggs proxy statement, there are a number of transactions and agreements between Briggs and Republic-Transcon involving the purchase and lease of property. In addition, each company distributes the other products. Briggs distributes heating and cooling equipment made by Republic-Transcon, and that company distributes plumbing ware made by Briggs.

Stevens said that, since he had obtained control of Briggs about a year ago he had instituted sweeping measures aimed at efficiency and cost-control.

The entire management slate was elected.
5-7-64 (311 759) 18E

Exhibit 11 pg 1

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Dun & Bradstreet Report

FINANCIAL STATEMENT

In the interest of speed financial statements are issued as received. These figures are subsequently to be reviewed in relation to rating and included in the report when revised.

34x31
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537-9300
BRIGGS MANUFACTURING COMPANY (INC)
6600 E 15 MILE RD
(STERLING TWP) WARREN MICH

A ST 13 APR 22 1964 N
MFG PORCELAINIZED STEEL & VITREOUS CHINA PLUMBINGS WARE & BRASS FITTINGS

CONSOLIDATED FINANCIAL STATEMENTS

		Dec 31 1962		Dec 31 1963
Cash		$ 169,474		$ 552,699
Accounts Receivable	(P1)	2,008,531	(P1)	3,474,841
Inventory		2,860,175		5,052,985
TOTAL CURRENT ASSETS		5,038,180		9,080,525
Fixed Assets	(P2)	9,349,222	(P2)	9,265,840
Prepaid-Deferred		397,393		690,362
TOTAL ASSETS		14,784,795		19,036,727
Due Banks	(PS1)	345,000	(S1)	2,400,000
Accounts Payable		715,436		2,508,885
Accruals		688,244		769,315
Taxes		505,366		599,159
Long Term Liabilities	(S2)	347,354	(S2)	300,000
TOTAL CURRENT LIABILITIES		2,601,400		6,577,359
Long Term Liabilities	(S2)	1,568,323	(S2)	1,150,000
COMMON STOCK		3,775,919		3,775,919
EARNED SURPLUS		6,839,153		7,533,449
TOTAL LIABILITIES		14,784,795		19,036,727
NET WORKING CAPITAL		2,436,780		2,503,166
CURRENT RATIO		1.93		1.38
TANGIBLE NET WORTH		10,615,072		11,309,368

(P) Pledged to Secure (S). (P1) Pledged to Secure (S1). (P2) Pledged to Secure (S2).

Foregoing figures prepared from copies of the printed annual report to stockholders. Outside auditors Price Waterhouse & Company, C. P. A.'s, Detroit, Michigan. Inventories valued at lower of cost or market. Accounts receivable net after an unstated allowance for doubtful accounts. Fixed assets net after depreciation reserve of $9,088,608. Contingent liability: A dealer who previously purchased scrap metal pursuant to a written contract with the company, has commenced suit alleging that such contract was for an indefinite period and claiming damages in the amount of $4 million for the alleged wrongful termination of such contract in July, 1963. In the opinion of legal counsel, based upon facts supplied by the officers of the Corporation, there exist several legal defenses to this claim, including the defense that said contract was terminable by the Corporation, which defenses would constitute a complete bar to any recovery by the plaintiff.

(CONTINUED)

Exhibit 11 Pg 2

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9368-5 (19635)

BRIGGS MANUFACTURING COMPANY (INC)
WARREN MICH

A ST Page 2

INCOME STATEMENTS AND SURPLUS OR NET WORTH RECONCILIATIONS

	Dec 31 1962	Dec 31 1963
Net Sales	$19,341,373	$22,601,955
Cost of Goods Sold	17,792,065	18,577,430
Gross Profit	1,549,308	4,024,525
Expenses	2,180,723	3,411,805
Depreciation	599,292	452,269
Net Income on Sales	(L) 1,230,707	160,451
Other Income	34,949	136,503
Final Net Income	(L) 1,195,758	296,954
Surplus or Net Worth Start	8,034,911	6,839,153
Net Income	---	296,954
Adjustments	---	397,342
Net Loss	1,195,758	---
Surplus or Net Worth End	6,839,153	7,533,449

(L) Loss.

NOTES TO FINANCIAL STATEMENTS

(1) REPUBLIC-TRANSCON INDUSTRIES, INC: As of December 31, 1963, Republic-Transcon Industries, Inc. (RTI) owned approximately 33% of the outstanding common stock of Briggs Manufacturing Company, which may be deemed to be an affiliate of RTI.

In 1963 net sales included sales of approximately $375,000 to RTI and manufacturing costs included approximately $943,000 of purchases from RTI, substantially all of which have been sold.

Accounts receivable and accounts payable included at December 31, 1963, $415,880 and $424,566, respectively, with affiliates which amounts have been paid in full.

(2) CHANGES IN ACCOUNTING PRINCIPLES: Changes in accounting principles which affect comparability of the 1963 financial statements with those of the prior year and had the effect of increasing 1963 net income approximately $536,000 were as follows:

	Resulting increase in income
(a) All components of a certain grade of product were included in inventory at December 31, 1963 whereas only minor components were included at December 31, 1962.....	$ 175,000
(b) Effective January 1, 1963, the company in determining depreciation on certain fixed assets extended the useful lives as estimated by independent appraisers.....	145,000
(c) Certain costs of secondary betterments and renewals previously charged to income as incurred were capitalized in 1963....	64,000
(d) Estimated development and planning costs relating to new products and additional production facilities, which being insignificant were previously charged to income as incurred, were treated as a deferred charges as at December 31, 1963 to be amortized to income over approximately three years..	50,000

-22-64

(CONTINUED)

Exhibit III Ag 3
603

NOTES TO FINANCIAL STATEMENTS (Cont'd)

(e) Other changes in accounting principles which individually were less than approximately $35,000.....	$ 102,000
Total	536,000

(3) PENSION PLANS: The gain of $397,342 realized in 1963 on the sale of pension trust fund securities is shown as a special credit and for comparative purposes a similar gain of $158,205 in 1962 previously credited to income has been restated as a special credit. Proceeds equivalent to these gains have been applied in payment of accrued pension liabilities except for approximately $69,000 in 1963 representing a prepayment.

(4) FEDERAL INCOME TAXES: At December 31, 1963, the company had unused federal income tax loss carry-forwards of approximately $2,700,000, of which approximately $1,070,000 will expire at December 31, 1965, $590,000 at December 31, 1966 and $1,040,000 at December 31, 1967.

(5) LONG TERM DEBT AND LINE OF CREDIT: At December 31, 1963, the company owed the First National Bank in Dallas $1,450,000 at 6% interest payable in 14 monthly installments of $25,000 and the then unpaid balance on March 16, 1965. The loan is secured by a first mortgage on all land, buildings, fixtures, furniture and equipment owned by the company. Under terms of the loan agreement, the company agrees among other things it will not (a) permit net working capital (excluding prepaid expenses as a current asset and excluding the debt hereunder as a current liability) to be less than $2,500,000 (working capital under this provision was approximately $2,800,000 as at December 31, 1963) or (b) pay any cash dividend or acquire any of the company's own capital stock.

In addition, at December 31, 1963, the company owed under a line of credit $2,400,000 on a 6% note secured by a general assignment of accounts receivable.

(6) RESTRICTED STOCK OPTION PLAN: Under a restricted stock option plan approved by the stockholders on April 17, 1962, options were outstanding at December 31, 1963 to purchase 13,700 shares (of which 3,425 are presently exercisable) at $4.88 per share, which was fair market value at dates the options were granted. No options were granted or exercised during the year ended December 31, 1963 and options covering 12,100 shares were canceled. An additional 36,300 shares are reserved for options which have not yet been granted.

(7) CONTINGENT LIABILITY: A dealer who previously purchased scrap metal pursuant to a written contract with the company, has commenced suit alleging that such contract was for an indefinite period and claiming damages in the amount of $4 million for the alleged wrongful termination of such contract in July, 1963. In the opinion of legal counsel, based upon facts supplied by the officers of the Corporation, there exist several legal defenses to this claim, including the defense that said contract was terminable by the Corporation, which defenses would constitute a complete bar to any recovery by the plaintiff.

(8) RECLASSIFICATION: Freight expenses on shipments to customers previously treated as a reduction of sales have been reclassified in 1962 as a selling expense to conform with the classification adopted in 1963. (See Note 3 for a restatement applicable to 1962.)

(9) SUBSEQUENT EVENTS: Subsequent to December 31, 1963 the company entered into several arrangements with Republic-Transcon Industries, Inc. and its subsidiary Textite, Inc. including the authorization to purchase or the purchase of certain facilities and equipment at approximately $757,000.

4-22-64 (311 759)

Gdiaz 4/64

Attached 1-139M

Dun & Bradstreet Report

FINANCIAL STATEMENT

In the interest of speed financial statements are issued as received. These figures are subsequently to be reviewed in relation to rating and included in the report when revised.

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121-6001 A ST I MAR 27 1964 N
RHEEM MANUFACTURING COMPANY (INC) HOLDING COMPANY, MNFR STEEL & FIBER CONTAINERS, WATER HEATERS & PLUMBING FIXTURES & INSULATED PANELS
400 PARK AVE
NEW YORK 22 N Y

RHEEM MANUFACTURING CO.

Consolidated Income Account, years ended

Dec. 31:	[1]1963	1963
Net sales	$138,961,737	$134,086,579
Divs. received	963,238	646,830
Other income	360,280	289,360
Total	318,229,305	315,022,769
Cost of sales	181,387,913	181,833,115
Selling, etc., exp.	11,350,279	11,151,904
Interest	955,237	1,125,624
Fed. income taxes	950,000	300,000
Minority interest	25,786	43,546
Sh. fgn. cns. earn.	491,467	467,317
[1]Net profit	4,148,615	1,843,527
Retain. earn., 1-1	4,414,947	3,273,510
Retain. earn., 12-31	[2]8,563,562	4,414,947
[3]Times int. earn.	5.08	2.18
Earn., com. share	$2.04	$0.52
Cash flow, com. sh.	3.06	1.70
No. of com. shares	2,031,315	2,010,109

[1]After $2,077,270 (1963, $2,362,763) depres. & amort. [2]$3,000,000 not restricted. [3]Incl. Roberts Electronics, Inc. (formerly 38.1% owned) from Oct. 1, 1963. [4]Bef. inc. taxes.

Consolidated Balance Sheet, as of Dec. 31:

Assets:	1963	1962
Cash	$8,412,484	$3,663,151
Receivables, net	25,674,862	19,837,357
[1]Fin. & in proc.	10,348,217	11,778,100
[2]Raw mater., etc.	9,064,383	8,965,290
Prepayments, etc.	341,495	348,943
Total current	$61,961,341	$42,407,245
[3]Net property	17,677,422	18,856,871
Land	488,085	496,185
[4]Inv. fgn. affil.	15,101,331	12,464,558
Other assets	3,963,726	3,050,572
Total	$78,612,135	$77,575,431
Liabilities:		
Accounts payable	$4,673,132	$4,525,470
Notes payable		1,500,000
Debt due	2,313,000	1,979,000
Accruals	5,351,460	5,744,047
Retire. plan	779,164	760,464
Fed. inc. tax prov.	1,190,596	860,531
Total current	$13,049,452	$15,253,512
Deb. 3½s, 1975	18,500,000	17,800,000
Notes payable	2,700,000	4,200,000
Def. Fed. inc. tax	319,000	219,000
Minority interest	173,350	147,350
Warr. cost res.	1,341,342	1,280,519
Com. stock ($1)	2,031,315	2,010,109
Capital surplus	34,437,980	34,147,884
Earned surplus	8,559,003	4,414,947
Total	$78,612,135	$77,575,431
Net current assets	$28,911,889	$26,153,733
Net tang. com. sh.	$22.17	$20.15
[1]Depr. & amor.	$26,780,594	$24,597,625

[1]Lower cost or mkt. [2]Comptrs.: Cos. 50% or more owned at equity underly. net assets: $12,728,787 (1963, $8,490,748); cos. less than 50% at cost, $5,362,794 (1963, $3,814,418) (approx. equity in underly. net assets, $3,950,000 (1963, $3,000,000)); total, $18,336,581 (1963, $12,464,558).

3-27-64 (582)

Exhibit 12

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AMERICAN-Standard PLUMBING AND HEATING DIVISION

40 West 40th Street, New York 18, N. Y., Tel. OXford 5-5600 Sales and Marketing Department, Plumbing Products

July 1, 1963
PP-42-63

TO ALL PLUMBING DISTRIBUTORS

SUBJECT: Distributor Inventory Purchase Plan

Effective with the announcement of the discontinuance of regular enamel plumbing fixtures, as covered by Bulletin PP-33-63, dated July 1, 1963, prices for enameled tubs as contained in Bulletin PP-9-63, Distributor Inventory Purchase Plan, are withdrawn.

Effective with the opening of business July 1, 1963, revised Distributor Inventory Purchase Plan prices for Acid-Resisting Enamel White and Color Tubs are as shown on the attached schedule.

Prices for applicable items of Chinaware as included in Bulletin PP-9-63 continue unchanged. For your convenience, the attached schedule updates PP-9-63 in line with the above.

AMERICAN-STANDARD
PLUMBING AND HEATING DIVISION

DISTRIBUTION: D-A, D-B, D-1, D-10-9

/Exhibit A by/

AMERICAN RADIATOR & STANDARD SANITARY CORPORATION

610

ARSS 4784

238-135 O - 66 - 3

PP-42-63 July 1, 1963

DISTRIBUTOR INVENTORY PURCHASE PLAN
Effective - July 1, 1963

Terms and conditions applying to the submission of Distributors' Inventory Purchase Plan orders are as follows:

1. Regular freight, cash discount and other general terms and conditions of sale apply except that no price protection of any kind is available at these prices.

2. To qualify for Distributor Inventory Purchase Plan prices, orders must be in truckload or carload quantities for at once shipment at our convenience. Distributor Inventory Purchase Plan china items, listed below, may be combined with other items of Chinaware to make truckload or carload weight. The same rule applies to enamelware truckloads or carloads.

3. This special offer is for immediate acceptance only and does not withdraw distributor net prices for these items listed in our current DP-32 price book.

4. We continue to reserve the right to limit quantity purchases.

5. This offer is subject to withdrawal at our option without prior notification. Only those orders postmarked as being in the mail to us prior to the effective date of the withdrawal will be accepted on the basis of prices noted below.

6. Please be certain that all orders placed with us on the basis of this plan bear the notation, PP-42-63, when forwarded to the District Office serving your territory.

7. Prices are subject to the addition of any applicable Manufacturers' or Sales Tax.

CAST IRON ENAMELED WARE

Plate Number	Description	Distributors' Net Price Each A.R. Enameled Color	White
P 2185) P 2187)	5' Contour - recess bath, less fittings	$66.25	$53.50
P 2255) P 2257)	5' Master Bildor - recess bath, less fittings	48.95	44.50

VITREOUS CHINA WARE

	LAVATORIES	Color	White
F 122	Comrade 20x18" lavatory, less all fittings	$12.25	$9.80
F 321	Declyn 19x17" lavatory, less all fittings	9.90	7.90

TWO-PIECE COUPLED CLOSET COMBINATIONS
With Bolt Caps, Less Supply

		Color	White
F 2109	Elongated Cadet, less seat	$31.25	$25.00
F 2120	Cadet, 10" rough - less seat	26.90	21.50
F 2122	Cadet, 12" rough - less seat	24.40	19.50
F 2124	Cadet, 14" rough - less seat	26.55	21.25
F 2116	Compton - less seat	22.40	17.90
F 2109, F 2120) F 2122, F 2124, F 2116)	If with water control with back flow preventer, add----------	.50	.50

Edward A Ayer 611

AMERICAN-Standard

Plumbing Fixtures and Fittings distributors' price book

DP-32

JULY 1, 1963

Distributors' Prices

Freight Conditions—See page 51.

notice: The suggested Consumer Prices shown herein do not include freight or cartage, installation or any local taxes.

	Pages
General terms	2
Cast iron and steel	
Baths	3-4
Lavatories	5-6
Urinals	6
Sinks	7-12
Drinking fountains	12-13
Wash sinks	13
Vitreous china ware	14-29
Fittings	30-47
Food waste disposers	48

AMERICAN-Standard
PLUMBING AND HEATING DIVISION
AMERICAN RADIATOR & STANDARD SANITARY CORPORATION

612

AMERICAN-Standard

plumbing fixtures

ENAMELED WARE

catalog page	number	description	size inches	approx. ship. wt. pounds	Suggested Consumer Price: Acid-Resisting Enamel Color	Suggested Consumer Price: Acid-Resisting Enamel White	Distributors' Net Price each: Acid-Resisting Enamel Color	Distributors' Net Price each: Acid-Resisting Enamel White
		Recessed receptor baths (less rod and curtain)						
1-6	P 2120 P 2125	Left outlet / Right outlet — Bath—less all fittings	38x39	280	$148.00	$133.25	$ 84.36	$ 75.93
	P 2120-10 P 2125-10	With N 1010 Heritage fitting with N 1700-12 pop-up drain		294	189.55	174.75	.....	.....
	P 2120-14 P 2125-14	With N 1020 Heritage fitting with N 1700-12 pop-up drain		296	190.05	175.25	.....	.....
	P 2120-40 P 2125-40	With N 1030 Push-Pull fitting with N 1700-12 pop-up drain		293	187.05	172.25	.....	.....
		Note: Above Heritage & Push-Pull fittings available with integral stops, refer to fittings section.						
		cast iron baths (less fittings)	size feet					
1-7A	P 2185 P 2187	Right outlet / Left outlet — Contour—recess	5 5½	335 400	136.15 170.15	119.10 153.15	77.60 96.97	67.88 87.28
1-7	P 2190 P 2192	Right outlet / Left outlet — Contour—recess "above the floor" roughing	5	335	136.15	119.10	77.60	67.88
1-7B	P 2195 P 2197	Right outlet / Left outlet — Contour—corner	5	385	166.40	149.75	94.82	85.33
1-8	P 2207 P 2212	Right outlet / Left outlet — Master Pembroke—corner	4½ 5½	358 408	164.25 192.05	147.85 172.85	93.61 109.46	84.25 98.52
1-9	P 2225 P 2227	Right outlet / Left outlet — Master Pembroke—recess	4½	314	140.55	126.50	80.09	72.08
1-10	P 2255 P 2257	Right outlet / Left outlet — Master Bilder—recess	4½ 5	270 290	100.25 95.85	94.10 90.95	57.13 54.61	53.61 51.84
		steel baths (less fittings)						
1-11	S 120 S 122	Right outlet / Left outlet — Salem—recess	4½	114	88.80	80.75	50.60	46.00
1-12	S 125 S 127	Right outlet / Left outlet — Salem—recess	5	136	89.05	80.95	50.75	46.14
1-12A	S 145 S 147	Right outlet / Left outlet — Salem—corner	5	143	120.65	109.65	68.75	62.50
					Price		each	Price
1-12B	P 2135	Adjustable support for built-in baths (approx. ship. wt. 2 pounds) ....each			$ 2.20		each	$ 1.16
	P 2600	Glossgard Powder — Per case			7.30			4.14
		Glossgard Powder — Per package			.65			.36
		(12—1½ pound packages to a case, approximate shipping weight 19 lbs.)						
		Tube drilled other than regular, add per hole			2.10			1.17

ALL FIXTURES ARE PRICED LESS FITTINGS UNLESS OTHERWISE INDICATED.

This Price List has been prepared for the convenience of American-Standard distributors only. The suggested consumer prices shown represent fixed markups over distributor prices to reflect reasonable selling and distribution expenses and do not purport to represent actual prices prevailing in any particular market.

AMERICAN-Standard

plumbing fixtures

VITREOUS CHINA WARE

catalog page	number	description	size inches	approx. ship. wt. pounds	Suggested Consumer Price Color	Suggested Consumer Price White	Distributors' Net Price each Color	Distributors' Net Price each White
		lavatories (cont.)						
		Comrade (less supply pipes and trap)						
2-7	F 122	lavatory only on 4" centers, less all fittings	20x18	41	$ 26.40	$ 21.15	$ 15.04	$ 12.04
			24x20	54	75.75	50.50	43.16	28.77
not illust.		F 121-30 with N 2061 Push-Pull fitting with pop-up drain, R 2800 legs	20x18	51	61.95	56.70	.....	.....
			24x20	64	111.30	86.05	.....	.....
		F 121-32 with N 2061 Push-Pull fitting with pop-up drain, R 2820 legs with towel bars	20x18	53	69.50	64.25	.....	.....
			24x20	66	118.85	93.60	.....	.....
2-7		F 121-40 with N 2001 Heritage fitting with pop-up drain, R 2800 legs	20x18	51	58.45	53.20	.....	.....
			24x20	64	107.80	82.55	.....	.....
		F 121-42 with N 2001 Heritage fitting with pop-up drain, R 2820 legs with towel bars	20x18	53	66.00	60.75	.....	.....
			24x20	66	115.35	90.10	.....	.....
		F 121-43 with N 2041 Heritage fitting with chain and stopper drain, R 2800 legs	20x18	50	53.35	48.10	.....	.....
			24x20	62	102.70	77.45	.....	.....
		F 121-44 with N 2041 Heritage fitting with chain and stopper drain, R 2820 legs with towel bars	20x18	52	60.90	55.65	.....	.....
			24x20	64	110.25	85.00	.....	.....
		F 121-60 with N 2055 single lever fitting with pop-up drain, R 2800 legs	20x18	51	69.85	64.55	.....	.....
			24x20	63	119.15	93.90	.....	.....
		F 121-62 with N 2055 single lever fitting with pop-up drain, R 2820 legs with towel bars	20x18	53	77.35	72.10	.....	.....
			24x20	65	126.70	101.45	.....	.....
not illust.		F 122-30 with N 2061 Push-Pull fitting with pop-up drain	20x18	47	51.10	45.80	.....	.....
			24x20	60	100.40	75.15	.....	.....
2-7		F 122-40 with N 2001 Heritage fitting with pop-up drain	20x18	47	47.55	42.30	.....	.....
			24x20	60	96.90	71.65	.....	.....
		F 122-43 with N 2041 Heritage fitting with chain and stopper drain	20x18	46	42.45	37.20	.....	.....
			24x20	58	91.80	66.55	.....	.....
		F 122-60 with N 2055 single lever fitting with pop-up drain	20x18	47	58.95	53.65	.....	.....
			24x20	59	108.25	83.00	.....	.....
		Merrilyn (less supply pipes and trap)						
2-8	F 140	Lavatory only on 8" centers, less all fittings	20x18	33	38.85	25.90	22.14	14.76
			28x20	48	87.10	58.05	49.62	33.08
	F 141	Lavatory only on 4" centers, less all fittings	20x18	33	38.85	25.90	22.14	14.76
		F 140-40 with N 2101-8 Heritage fittings with pop-up drain	20x18	41	65.45	52.50	.....	.....
			28x20	56	113.65	84.60	.....	.....
		F 140-43 with N 2141-8 Heritage fitting with chain and stopper drain	20x18	40	60.30	47.35	.....	.....
			28x20	55	108.55	79.50	.....	.....
		†F 140-50 with N 2111-8 Monogram fitting with pop-up drain	20x18	41	93.25	80.30	.....	.....
			28x20	56	141.50	112.45	.....	.....
		†Untinted transparent handles regularly furnished. If with colored translucent handles, specify and add	.....	.....	2.15	2.15	1.20	1.20
		†Snap-in buttons, personalized with 2 engraved initials in either Block or Old English for Monogram handles only ..... Set of two (2)	.....	.....	6.15	6.15	3.50	3.50
		Type "B" stainless steel mounting frame for 28x20" size only	.....	4	8.40	8.40	4.78‡	4.78‡
		‡Frame f.o.b. Factory. No freight allowed.						
		F 141-30 with N 2061 Push-Pull fitting with pop-up drain	20x18	39	63.55	50.60	.....	.....
		F 141-40 with N 2001 Heritage fitting with pop-up drain	20x18	39	60.00	47.10	.....	.....
		F 141-43 with N 2041 Heritage fitting with chain and stopper drain	20x18	38	54.90	41.95	.....	.....
		F 141-60 with N 2055 single lever fitting with pop-up drain	20x18	39	71.40	58.45	.....	.....
		Note: Fittings—if ⅜" tailpieces required, order separately. See page 35.						
		For valve inlets arranged to slip ½" O.D. tubing affix letters SJ to fixture suffix number. No extra charge.						

ALL FIXTURES ARE PRICED LESS FITTINGS UNLESS OTHERWISE INDICATED.

This Price List has been prepared for the convenience of American-Standard distributors only. The suggested consumer prices shown represent fixed markups over distributor prices to reflect reasonable selling and distribution expenses and do not purport to represent actual prices prevailing in any particular market.

AMERICAN-Standard

VITREOUS CHINA WARE — plumbing fixtures

catalog page	number	description	size inches	approx. ship. wt. pounds	Suggested Consumer Price Color	Suggested Consumer Price White	Distributors' Net Price each Color	Distributors' Net Price each White
		lavatories (cont.) Firmledge (less supply pipes and trap)						
2-17	F 310-40	with N 2107 Heritage fitting with pop-up drain	19x17	49	.....	$ 65.60	.....	$ 37.38
	F 310-45	with N 2160 Heritage fitting—plug with perforated grid	19x17	49	.....	59.75	.....	34.04
7-5	F 310-70	with C 507-1F Colony fitting with pop-up drain	19x17	49	.....	61.80	.....	35.20
	F 310-73	with C 547-1 Colony fitting with chain and stopper drain	19x17	49	.....	56.65	.....	32.28
	F 310-75	with C 550-1 Colony fitting—plug with perforated grid	19x17	49	.....	56.15	.....	31.99
2-15	F 312-33	with N 2161 Heritage supply spout and supply ell with coupling—plug with perforated grid	19x17	46	.....	57.55	.....	32.78
	F 314-45	with N 2160 Heritage fitting—plug with perforated grid	19x17	49	.....	61.80	.....	35.21
7-5	F 314-75	with C 550-1 Colony fitting—plug with perforated grid	19x17	49	.....	58.20	.....	33.16
	F 310	Heritage fitting with NU-RE-NU self-closing supply valves .....add	.....	.....	.....	9.05	.....	5.14
2-15	F 321	Declyn—on 4" centers, less fittings	19x17	33	$ 22.45	17.95	$ 12.78	10.22
2-16	F 350	New Lucerne—on 8" centers, less fittings	20x18	46	41.15	27.45	23.43	15.62
	F 351	New Lucerne—on 4" centers, less fittings	24x20	61	.....	46.90	.....	26.73
	F 370	Penhurst—on 8" centers, less fittings	18x15	38	.....	27.05	.....	15.40
	F 371	Penhurst—on 4" centers, less fittings						
2-17	F 380	Buena—on 8" centers, less fittings and support	20x18	39	43.50	29.00	24.78	16.52
	F 381	Buena—on 4" centers, less fittings and support	24x20	51	63.15	42.10	35.97	23.98
		For supports see page 22.						
		Viking (less supply pipes and trap)						
2-18	F 385-40	with N 2107 Heritage fitting with pop-up drain	17x17	51	88.65	66.85	50.53	38.10
	F 385-43	with N 2147 Heritage fitting with chain and stopper drain	17x17	51	83.30	61.50	47.47	35.04
7-5	F 385-70	with C 507-1F Colony fitting with pop-up drain	17x17	51	84.85	63.05	48.35	35.92
	F 385-73	with C 547-1 Colony fitting with chain and stopper drain	17x17	51	79.70	57.90	45.43	33.00
	F 310	If with end trim in place of aerator, specify and deduct	.....	.....	1.30	1.30	.72	.72
		Available with vandal proof aerator when specified, add	.....	.....	.35	.35	.19	.19
	F 312	Note: Fittings—if ⅜" tailpieces required, order separately. See page 35.						
	F 314							
	F 385	For valve inlets arranged to slip ⅜" O.D. tubing affix letters SJ to fixture suffix number. No extra charge.						

ALL FIXTURES ARE PRICED LESS FITTINGS UNLESS OTHERWISE INDICATED.

This Price List has been prepared for the convenience of American-Standard distributors only. The suggested consumer prices shown represent fixed markups over distributor prices to reflect reasonable selling and distribution expenses and do not purport to represent actual prices prevailing in any particular market.

AMERICAN-Standard

VITREOUS CHINA WARE — plumbing fixtures

catalog page	number	description	approx. ship. wt. pounds	Suggested Consumer Price Color	Suggested Consumer Price White	Distributors' Net Price each Color	Distributors' Net Price each White
		two-piece coupled closet combinations (cont.) (less supply and stop)					
3-5	F 2090-11	Norwall with NW 209 closed front seat with cover..... †Seat in plain color only.	123	†$188.95	$138.55	†$107.70	$78.96
3-5	‡F 2094	Glenwall, less seat..... Carrier fitting required to be furnished by others.	99	88.30	70.65	50.33	40.26
		Note: If trip lever with satin chrome finish.....add	.....	1.30	1.30	.72	.72
3-6	‡F 2109	Elongated Cadet, less seat.....	96	65.35	52.30	37.24	29.80
3-6A	‡F 2116	Compton, less seat.....	93	50.70	40.55	28.89	23.11
3-6	‡F 2120	New Cadet—10" rough, less seat.....	92	54.65	43.70	31.14	24.91
	‡F 2122	New Cadet—12" rough, less seat.....	92	53.90	43.20	30.72	24.61
	‡F 2124	New Cadet—14" rough, less seat.....	92	53.90	43.20	30.72	24.61
		low tank closet combinations (less seat and supply pipe)					
3-6A	‡F 2180	Siacto.....	102	78.65	56.90	44.82	32.41
	‡F 2186	Modernus.....	97	67.00	49.15	38.17	28.00
	F 2094 F 2109 F 2116 F 2120 F 2122 F 2124 F 2180 F 2186	If with water control with backflow preventer.....add	.....	2.05	2.05	1.16	1.16
		If with tank cover locking device.....add	.....	5.10	5.10	2.88	2.88
	F 2116 F 2120 F 2186	If less bolt caps, clips, floor screws, nuts and washers, specify and deduct.....	.....	1.25	.85	.70	.46
	F 2109 F 2122 F 2124 F 2180	If less bolt caps and clips, specify and deduct.....	.....	.50	.30	.28	.16
	F 2094 F 2109 F 2116 F 2120 F 2122 F 2124	If with Aquaguard tank liner, add suffix "L" to fixture number, specify and add.....	5	9.65	9.65	5.50	5.50

For supply pipe for above see page 38.

‡For prices on Church seats, refer to their current price sheet.

ALL FIXTURES ARE PRICED LESS FITTINGS UNLESS OTHERWISE INDICATED.

This Price List has been prepared for the convenience of American-Standard distributors only. The suggested consumer prices shown represent fixed markups over distributor prices to reflect reasonable selling and distribution expense and do not purport to represent actual prices prevailing in any particular market.

THE MURRAY CORPORATION OF AMERICA

ELDER PLUMBINGWARE DIVISION

TAYLOR CALDWAY CENTER PITTSBURGH 12, PENNA.

July 12, 1963

TO OUR CUSTOMERS:

SUBJECT: Temporary Prices Applying to Stock Orders

Effective today the special prices announced in our January 30, 1963, bulletin are withdrawn. New special net prices apply to the volume items listed below when ordered for immediate factory shipment of full or mixed carloads or truckloads of vitreous china and iron and full carloads or truckloads of enameled steel unless specific quantities are mentioned. Items in our line other than those listed in this announcement may be included to make minimum weight for full loads.

		A/B Enamel Color	A/B Enamel White
Enameled Cast Iron:			
E-1070/75	5' Samoa Bath	$66.25	$53.50
E-1120/25	5' Riviera Bath	66.25	53.50
E-1180/85	5' Capri Bath	48.95	44.50
Enameled Formed Steel:			
E-1210/15	5' Ventura Bath (One Piece)	39.05	33.50
E-1230/35	5' Gateway Bath	36.30	33.00
	Gateway Color 34.65 White 31.50		
	25 or More		
E-1794	18½x15½" Palm Springs Lavatory	8.25	7.50
E-1794	20x18" Palm Springs Lavatory	8.80	8.00
New E-1764	18" (Round) Seaview Lavatory	8.25	7.50
E-2450/51	32x21" Flat Rim Sink	*9.05	8.25
E-2455/56	24x21" Flat Rim Sink	*6.60	6.00

*Note: Colored Steel Sinks are produced in General Electric Coppertone, Woodtone, Yellow, Turquoise, and Pink; in Westinghouse colors Coppertone, Yellow, Aqua, and Pink only. Colored sinks are available only with 4-hole punching in fitting ledge.

Continued . . .

Exhibit B for I 662

July 12, 1963

	Color	White
Vitreous China:		
E-3224 - 19x17" Blair Lavatory	$ 9.90	$ 7.90
E-3224 - 20x18" Blair Lavatory	12.25	9.80
E-5250 - Emblem Closet - Round Front - 12" Rough	24.40	19.50
E-5254 - Emblem Closet - Round Front - 14" Rough	26.55	21.25
E-5255 - Emblem Closet - Elongated Rim - 12" Rough	31.25	25.00
E-5270 - Ellis Closet - 12" Rough	22.40	17.90
E-5275 - Ellis Closet - 10" Rough	26.90	21.50
For Anti-Siphon Float Valve add . . .	.50	.50

Note: Closet Prices include Bolt Covers but do not include supplies, seats, etc.

These prices apply only to orders placed for immediate shipment and may be withdrawn at any time without notice. Orders on hand or in the mail postmarked prior to the time of withdrawal of these special prices will be shipped at factory convenience. There will be no job price protection at these prices - nor will any orders be accepted for other than immediate shipment.

For all items of china, iron, steel, and brass not listed in this bulletin, refer to current published price sheets for prices.

Regular freight and payment terms apply.

ELJER PLUMBINGWARE DIVISION

Effective B 7/63

NUMBER
WN • 44
JAN. 31, 1963

WHOLESALERS' NET PRICES

APPLYING TO CATALOG 162

vitreous china
enameled cast iron
enameled formed steel
undersink steel cabinets
brass fittings

INDEX

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THE MURRAY CORPORATION OF AMERICA
ELJER PLUMBINGWARE DIVISION
THREE GATEWAY CENTER PITTSBURGH 22, PA.

RECEIVED
MAY - 9 1963
S. S. BACKNER
Exhibit BB Pg 1-35

FINE PLUMBING FIXTURES
ELJER
664

CAT. PAGE	PLATE NUMBER	DESCRIPTION	SIZE	Appx. Ship. Wt.	PRICE EACH — ACID RESISTING — COLOR — Suggested Consumer	ACID RESISTING — COLOR — Wholesalers' Net	ACID RESISTING — WHITE — Suggested Consumer	ACID RESISTING — WHITE — Wholesalers' Net	REGULAR — WHITE — Suggested Consumer	REGULAR — WHITE — Wholesalers' Net
		CAST IRON BATHS Less Fittings								
10	E-1040	MONTEGO, Recess	42x37"	270	$152.65	$ 87.00	$135.95	$ 77.50	$120.90	$ 68.90
10	E-1045									
11	E-1050	LEGATION, Recess	5½'	420	220.55	125.70	198.40	113.10	176.40	100.55
11	E-1055									
9	E-1060	DELRAY, Recess	48x42"	330	207.30	118.15	184.25	105.00		
9	E-1065									
12	E-1070	SAMOA, Recess	5'	345	136.15	77.60	119.10	67.90	105.80	60.30
12	E-1075									
17	E-1100	RIVIERA, Corner	5'	385	166.30	94.80	149.75	85.35	133.05	75.85
17	E-1105		5½'	470	192.00	109.45	172.90	98.55	153.60	87.55
			4'	290	220.55	125.70	198.40	113.10	176.40	100.55
			4½'	300	140.55	80.10	126.50	72.10	112.35	64.05
13	E-1120	RIVIERA, Recess	5'	335	136.15	77.60	119.10	67.90	105.80	60.30
13	E-1125		5½'	390	170.10	96.95	153.05	87.25	136.15	77.60
			6'	490	255.00	145.35	229.75	130.95	204.05	116.30
14	E-1180	CAPRI, Recess	5'	295	95.80	54.60	90.90	51.80	86.85	49.50
14	E-1185									
		CAST IRON BATHS To Build in Floor, Less Fittings								
	E-1060	DELRAY, Recess	48x42"		248.80	141.80	221.05	126.00		
	E-1065									
	E-1070	SAMOA, Recess	5'		163.35	93.10	143.00	81.50	126.95	72.35
	E-1075									
	E-1100	RIVIERA, Corner	5'		199.60	113.75	179.65	102.40	159.65	91.00
	E-1105									
	E-1120	RIVIERA, Recess	5'		163.35	93.10	143.00	81.50	126.95	72.35
	E-1125									
	E-1180	CAPRI, Recess	5'		114.95	65.50	109.05	62.15	104.25	59.40
	E-1185									
	NOTE:	Specify apron lengths desired: 4", 5¼" or 7¾".								
		CAST IRON INSTITUTIONAL BATHS Less Fittings								
Not Shown	E-15745	A/R Enameled All Over Bath with 1½" outlet and A/R Base	66x31"	910			448.00	255.35		
	E-15746	A/R Enameled All Over Bath with 1½" outlet	66x31"	600			285.55	162.75		
		Baths drilled other than regular, add per hole			2.10*	1.20*	2.10*	1.20*	2.10*	1.20*

CAT. PAGE	PLATE NUMBER	DESCRIPTION	SIZE	Appx. Ship. Wt.	PRICE EACH * ACID RESISTING COLOR Suggested Consumer	ACID RESISTING COLOR Wholesalers' Net	ACID RESISTING WHITE Suggested Consumer	ACID RESISTING WHITE Wholesalers' Net	REGULAR WHITE Suggested Consumer	REGULAR WHITE Wholesalers' Net
		FORMED STEEL BATHS Less Fittings								
18	E-1200	LAKE FOREST, Corner	5'	143	$121.30	$ 69.15	$110.35	$ 62.90		
18	E-1205									
N...	E-1210	VENTURA, One-Piece								
	E-1215	Recess	5'	138	85.70	48.85	77.90	44.40		
16	E-1220	WESTCHESTER, Recess	4½'	120	83.95	47.85	76.35	43.50		
16	E-1225	◆ Discontinued—Price applies to stock on hand	5'	130	82.30	46.90	74.85	42.65		
15	E-1230	GATEWAY, Recess	4½'	114	82.30	46.90	74.85	42.65		
15	E-1235		5'	126	82.30	46.90	74.85	42.65		
		CAST IRON LAVATORIES Less All Fittings, unless otherwise described								
20	E-1476	BRUCE, Shelf Back, with E-9343-A LIFETIME fitting with Aerator and Pop-up Waste	19x17"	75	51.95	29.60	48.35	27.55	$ 44.75	$ 25.50
			22x19"	85	57.90	33.00	53.70	30.60	49.50	28.20
20	E-1477	BRUCE, Shelf Back, with E-9344-A LIFETIME fitting with Aerator, P.O. Plug, Chain and Stopper	19x17"	75	50.85	28.95	47.25	26.90	43.65	24.85
			22x19"	85	56.80	32.35	52.60	29.95	48.40	27.55
	NOTE:	Bruce Lavatories available with Lusterline Handles to match Lusterline Tub Trim at No Change in Price.								
	E-1476 and E-1477	If ordered with Vandal-Proof Aerator, specify and add			.35	.20	.35	.20	.35	.20
		If ordered less Aerator, specify and deduct			1.40	.80	1.40	.80	1.40	.80
32	E-1490	AMHERST (for counter top) Cock Holes 8" centers	20x18"	45	24.05	13.70	21.65	12.35	19.20	10.95
32	E-1494	AMHERST (for counter top) for Centerset Fitting	20x18"	45	24.05	13.70	21.65	12.35	19.20	10.95
32	E-9920	Stainless Steel Frame for Amherst	20x18"	2	6.95	3.95	6.95	3.95	6.95	3.95
36	E-1504	BURKE (for counter top) Ledge for Centerset Fitting	18"	35	23.95	13.65	21.60	12.30	19.15	10.90
36	E-9912	Stainless Steel Frame for Burke	18"	2	8.00	4.55	8.00	4.55	8.00	4.55
N...	E-1630	BUCKNELL	19x17"	55	27.90	15.90	25.10	14.30	22.30	12.70
	E-1634		20x18"	63	31.65	18.05	28.45	16.20	25.35	14.45
New	E-1640	BUCKNELL, with E-1639 enameled cast iron leg	19x17"	80			36.95	21.05	32.85	18.70
	E-1644		20x18"	88			40.25	22.95	35.90	20.45
26	E-1650	TAMPA	18x18"	73			45.90	26.15	40.70	23.20
26	E-1661									
	NOTE:	FOR LEGS AND TOWEL BARS, REFER TO BRASS SECTION, Page 32								

CAT. PAGE	PLATE NUMBER	DESCRIPTION	SIZE	Approx. Ship. Wt.	PRICE EACH — ACID RESISTING — COLOR — Suggested Consumer	COLOR — Wholesalers' Net	WHITE — Suggested Consumer	WHITE — Wholesalers' Net
		FORMED STEEL LAVATORIES Less All Fittings, unless otherwise described						
	E-1785	PINEHURST	20x18"	23	$ 23.10	$ 13.15	$ 20.95	$ 11.95
25	E-1786	PROVINCETOWN, with Hanger, Overflow and Overflow Plate	24x18"	28	31.35	17.85	28.35	16.15
25	E-1787	Baked White Enamel Cabinet with two Doors, for PROVINCETOWN Lavatory	24x18"	34	F.O.B. SCRANTON FREIGHT TO BE ADDED		43.50	24.80
32	E-1794	PALM SPRINGS, with Front Overflow, for Counter installation ◆	18½x15½"	11	14.75	8.40	13.45	7.65
			20x18"	12	15.70	8.95	14.30	8.15
			21x17"	12	15.70	8.95	14.30	8.15
32	E-9918	Stainless Steel Frame for PALM SPRINGS ◆	18½x15½"	3	6.95	3.95	6.95	3.95
			20x18"	3	6.95	3.95	6.95	3.95
			21x17"	3	6.95	3.95	6.95	3.95
		◆ Discontinued—Subject to stock on hand						
		CAST IRON WASH SINKS Less All Fittings						
40	E-1800	BLAINE, with Back Supported on Concealed	4'x18"	200			127.30	72.55
40	E-1801	Hangers. Less Soap Dishes, Less Brackets	5'x18"	270			145.35	82.85
40	E-1802		6'x18"	330			163.25	93.05
		For Painted Brackets for BLAINE pair		25			3.25	1.85
New	E-1805	WASHBURN, with Back Supported on Concealed Hangers. Less Painted Pedestals, Less Soap Dishes	8'x22"	440			323.70	184.50
40	E-9797	C.P. Soap Dish for BLAINE and WASHBURN per dish					1.75	1.00
40	E-1810	TELFAIR, with Pipe Supports. Less Painted Pedestals, Less Soap Dishes	4'x30"	230			139.75	79.65
			5'x30"	290			189.65	108.10
		For Painted Pedestals for Wash Sinks pair		110			27.80	15.85
		For Regular Enamel Pedestals for Wash Sinks pair		115			51.75	29.50
40	E-9799	C.P. Soap Dish for TELFAIR per dish					1.75	1.00
	NOTE:	Pedestals regularly furnished to set Rim of Sink 30½" to 31½" from floor						
		Can be furnished on special order to set Rim of Sink 25½" to 26½" from floor, 36" from floor — add per pair					NO EXTRA CHARGE 5.35	3.05
		Wash Sinks drilled other than regular — add per hole					2.10*	1.20*
		CAST IRON DRINKING FOUNTAIN						
80	E-1895	HARTFORD, complete with fittings, less Trap	44½x13"	105			Reg. Econ. 203.90	Reg. Econ. 116.20

RECEIVED
FEB-6 1963

January 30, 1963

S. S. BACKNER

TO: All regional managers

FROM: C. J. Callanan, Jr.

SUBJECT: SPECIAL STOCK BUYING OPPORTUNITY - PLUMBING FIXTURES-REVISED (2)

Effective with the close of business Friday, February 1, 1963, the "Special Stock Buying Opportunity - Plumbing Fixtures-Revised" bulletin dated January 2, 1963, is cancelled.

However, we offer the special pricing listed below to meet the competitive situation now existing. These prices become effective on all new orders received on or after Monday, February 4, 1963. They are on a temporary basis until further notice. They are subject to withdrawal without notice and apply to all stock orders specifying immediate shipment at our convenience.

Shipments based on Project Report coverage will be priced as per the coverage or this special pricing, whichever is lower.

These prices are for shipments in truckload or carload quantities.

225-7 5'	R.E.	$51.50
	A.R.	57.95
	Color	66.25
232-4 5'	R.E.	42.50
	A.R.	44.55
	Color	46.90
847-9	R.E.	9.31
	A.R.	10.48
	Color	11.64
851-3	R.E.	9.29
	A.R.	10.44
	Color	11.60
2115-32"	White A.R.	17.50
2600 (19 x 17)	Color	24.28
	White A.R.	21.28
	White	19.60
2600 (22 x 19)	Color	27.05
	White A.R.	23.77
	White	21.83

continued

L-[illegible] (20 x 18)	White	$ 9.80
	Color	12.25
L-[illegible] (19 x 17)	White	7.90
	Color	9.90
L-[illegible]	White	12.10
	Color	13.93
L-[illegible] (20 x 18)	White	11.72
	Color	17.59
L-[illegible]	White	25.00
	Color	31.25
L-[illegible], G-2220, G-2240 (Regular E.C.)	White	19.50
	Color	24.40
L-[illegible] (Regular E.C.)	White	17.90
	Color	22.40
For [illegible] add		.50

Best regards,

C. J. Callanan, Jr.

[illegible]

[illegible] - Chicago	W. H. Paas - Chicago
[illegible] - Chicago	H. A. Smith - Metuchen
[illegible] - Chicago	E. Dithridge - Monaca
[illegible] - Chicago	J. Crawford - Metuchen
[illegible] - Chicago	D. Nelson (6) - Chicago
[illegible] - Phila.	R. Hayduck - Metuchen
[illegible] - Chicago	E. W. Manstrom - Los Angeles
[illegible] - Metuchen	E. C. Smith - Dallas

EXHIBIT C pg. 2

700

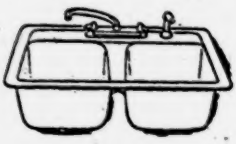
WHOLESALE *Price List*

RECEIVED
MAY - 3 1963

No. PF-W24
EFFECTIVE MAY 6, 1963
SUPERSEDES PRICE SHEET
PF-W23

S. S. BACKNER

PLUMBING FIXTURES
fashioned by Rheem



ENAMELED WARE • VITREOUS CHINA • PERMA-GLOSS

RHEEM MANUFACTURING COMPANY
HOME PRODUCTS GROUP
7600 S. Kedzie, Chicago 52, Illinois

Plumbing fixtures manufactured at Metuchen, N. J. and Monaca, Pa. plants.

REGIONAL SALES OFFICES
Boston, Massachusetts—763B Concord Ave., Cambridge 38, Mass. (491-0850)
Chicago, Illinois—7600 South Kedzie Avenue (HEmlock 4-7500)
Dallas, Texas—2130 Lofland Street (MElrose 1-2420)
Detroit, Michigan—11000 W. McNichols Road (UNiversity 4-0695)
Los Angeles, Calif.—6283 Slauson Avenue (OVerbrook 5-8411)
New York, New York—370 Lexington Avenue (MUrray Hill 3-6871)
Philadelphia, Penna.—Whitaker & Godfrey Aves. (Pioneer 4-5900)

701
W Exhibit CC-4P
WD4 1-16

...ern tubs — enameled cast iron
— enameled formed steel

	plate no.	description	size	ship. wgt. lbs. (app.)	Suggested Consumer Price			Wholesaler's Net Price Each		
					acid-resisting enamel		regular enamel	acid-resisting enamel		regular enamel
					color	white	white	color	white	white
		POMPEII								
cast iron square (less fittings)	250	RHO	48x44	435	$266.95	$241.05		$152.17	$137.40	
	252	LHO								
		BLAKE								
corner (less fittings)	219	RHC, RHO	5'	390	166.43	149.78	$133.14	94.87	85.38	$75.89
	221	LHC, LHO								
		BRESLIN								
recess (less fittings)	225	RHO	4½'	317	140.54	126.53	112.46	80.10	72.12	64.10
	227	LHO	5'	355	136.19	119.07	105.84	77.63	67.87	60.33
			5½'	410	170.10	153.09	136.08	96.96	87.27	77.56
		LoSEAT								
	232	RHO	4½'	266	100.30	94.15	89.80	57.16	53.66	51.18
	234	LHO	5'	305	95.76	90.98	86.78	54.58	51.86	49.47
*Sunken baths (less fittings)		**BLAKE**								
	219-S	with 4", 5¾" or	5'	—	199.60	179.70	159.70	113.76	102.42	91.02
	221-S	7¾" apron								
		BRESLIN								
	225-S	with 4", 5¾" or	5'	—	163.35	142.95	126.95	93.12	81.48	72.36
	227-S	7¾" apron								
		LoSEAT								
	232-S	with 4" or 5¾"	5'	—	114.95	109.05	104.20	65.52	62.16	59.40
	234-S	apron								
		MALIBOU								
steel recess (less fittings)	1106	RHO	5'	131	84.70	76.90		48.27	43.83	
	1108	LHO								
		DAYTONA								
	1110	RHO	5'	138	89.25	81.10		50.87	46.23	
	1112	LHO								
nc	For special tub drillings add per hole						2.05			1.17
	Specify apron height									

238-135 O - 66 - 4

enameled cast iron — lavatories
vitreous china —

	plate no.	description	size	ship. wgt. lbs. (app.)	Suggested Consumer Price			Wholesaler's Net Price Each		
					acid-resisting enamel		regular enamel	acid-resisting enamel		regular enamel
					color	white	white	color	white	white
lavatories cast iron (less fittings unless specified otherwise)	847	**VICTORIA** for comb'n fitting	20x18	50	$24.05	$21.63	$19.22	$13.70	$12.33	$10.95
	848	for centerset fitting								
	851	**ROUNDEL** for combination fitting	18" RD	34	23.95	21.55	19.55	13.65	12.28	10.92
	853	for centerset fitting								
	1047	**LENCOR** w/F-7202 fitting, less all other trim.	16x16	58	* 61.25	55.00	51.30	* 34.90	31.34	29.24
	2600	**NEW LORAIN** w/F-7202 fitting, less all other trim.	19x17	70	* 48.05	43.20	39.70	* 27.38	24.61	22.64
			22x19	80	* 54.00	48.55	44.40	* 30.78	27.66	25.30
	2700	**RICHVAL** with wall hanger only for centerset fitting	19x17	55	23.45	21.10	18.80	13.37	12.03	10.72
	2907	**NEW LONDO** for comb'n fitting	19x17	65	27.88	25.10	22.31	15.89	14.30	12.72
	2909	for centerset fitting	20x18	71	31.66	28.46	25.31	18.05	16.22	14.43
legs, rims for enamel lavatories	F-15	Legs, less towel bars, pr.		7			12.10			6.90
	F-16	Towel bars for F-15, pr.		3			8.40			4.78
	F-549	Metal rim for 847-849	20x18	4			7.45			4.25
	F-550	Metal rim for 851-853	18" RD	3			8.95			5.10
		SUMMIT with F-25 legs, F-26 towel bars & knee brackets			color		white	color		white
lavatories vitreous china (less fittings unless specified otherwise)	G-105	for combination fitting	20x18	45	$48.35		$53.90	$38.97		$30.72
			24x20	70	88.00		67.00	50.17		38.18
	G-107	for centerset fitting	20x18	45	68.35		53.90	38.97		30.72
			24x20	70	88.00		67.00	50.17		38.18
		with leg & knee brackets								
	G-111	for combination fitting	20x18	50	62.90		43.40	35.84		24.73
			24x20	60	82.55		56.45	47.05		32.19
	G-113	for centerset fitting	20x18	50	62.90		43.40	35.84		24.73
			24x20	60	82.55		56.45	47.05		32.19

note: For P. O. plug chain and stopper with 2600 and 1047 lavatories, deduct — 1.00 — .57
For aerator on 2600 and 1047 white only, add — 1.30 — .75
1¼" O.D. tailpieces are regularly supplied 4" long, for each 2" additional length, add — .20 — .11
Supply and drain fittings for 2600 and 1047 are regularly supplied less ¼" MIP Tailpieces. If required note on order and add per pair — .40 — .24

*Colored Price includes aerator

vitreous china — lavatories

plate no.	description	size	ship. wgt. lbs. (app.)	Suggested Consumer Price color	Suggested Consumer Price white	Wholesaler's Net Price Each color	Wholesaler's Net Price Each white
	COUNTESS counter						
G-146	for combination fitting	20x18	40	$37.65	$30.10	$21.46	$17.15
G-148	for centerset fitting	20x18	40	37.65	30.10	21.46	17.15
	RICHELIEU						
G-154	with wall hanger only, for centerset fitting	18x15	30	23.30	18.60	13.27	10.61
		19x17	35	22.45	17.95	12.79	10.22
		20x18	40	26.45	21.10	15.09	12.04
		22x19	45	47.10	33.60	26.86	19.15
		24x20	60	75.80	50.50	43.20	28.78
	BERKELEY						
G-160	with F-7202 fitting, less all other trim	19x17	45	*62.25	50.65	*35.47	28.86
	DENTYN						
G-625	with F-505 fitting, less all other trim	14x14	30	74.35	60.85	42.37	34.68
	CIRCLET round, counter-top						
G-2260	for combination fitting	18" RD.	30	30.75	26.75	17.54	15.25
G-2262	for centerset fitting	18" RD.	30	30.75	26.75	17.54	15.25
	LELAND						
G-2280	oval, with flat rim and integral overflow. Top of rim not glazed.	19x15	25	31.25	20.75	17.80	11.84
G-2282	oval, with glazed rim for in counter installation, with F-582 stainless steel rim	19x15	30	44.10	33.80	25.13	19.27
	VOGUE						
G-2290	counter	20x18	35	38.85	25.90	22.14	14.76
	for combination fitting	24x18	40	44.60	29.70	25.42	16.94
		16x14	30	28.70	19.05	16.35	10.87
G-2292	for centerset fitting	20x18	35	38.85	25.90	22.14	14.76
		24x18	40	44.60	29.70	25.42	16.94
	MODERNE						
G-2321	for combination fitting	20x18	38	41.10	27.40	23.42	15.62
G-2323	for centerset fitting	24x20	50	70.10	46.75	39.96	26.64
	VARIMOUNT						
G-2401	for combination fitting	22x18	38	48.75	32.55	27.79	18.54
G-2403	for centerset fitting						
	SACRARIUM						
G-2540	complete with fittings, as described	18x15	41		145.35		82.85
legs							
F-25	Legs, less towel bars, pair		7		12.10		6.90
F-26	Towel bars, for F-25, pair		3		8.40		4.78
rims, clips for vitreous lavatories		16x14	3		7.45		4.25
F-543	metal rim for G-2290—G-2292	20x18	4		7.45		4.25
		24x18	5		7.60		4.33
F-548	metal rim for G-146—G-148	20x18	4		7.25		4.13
F-560	metal rim for G-2260—G-2262	18" RD	3		7.45		4.25
F-580	Aluminum angle clips for G-2280		1		2.10		1.20
F-7262	Metal rim for G-2401-3	22x18	3		8.35		4.75
F-7282	Hold-down kit for G-2401-3		1½		4.10		2.35
	note: For aerator on G-125, G-130, G-133, G-134, G-160 - white only, add				1.30		.75
	*Colored price includes aerator						
	1¼" O.D. tailpieces are regularly supplied 4" long, for each 2" additional length, add				.20		.11
	Supply and Drain fittings for G-125, G-130, G-133, G-134, and G-160 are regularly supplied less ¼" MIP Tailpiece. If required note on order and add per pair				.40		.24
	Special lavatory drillings †						
	for drillings other than regular holes 1" in diameter or larger, add per hole				2.35		1.34
	holes less than 1" diameter, add per hole				1.20		.67
	holes for concealed bracket arms, add per lavatory				4.10		2.34
	†note: 1" diameter hole required for soap dispensers.						

water closets — vitreous china

	plate no.	description	ship. wgt. lbs. (app.)	Suggested Consumer Price color	Suggested Consumer Price white	Wholesaler's Net Price Each color	Wholesaler's Net Price Each white
c. t combinations with regular float valve, unless otherwise specified, with china bolt caps (less supply, seat and screws)		**LARCHMONT** Siphon jet—12" rough					
	G-206	round front	115	$ 99.70	$ 70.75	$ 56.84	$40.32
	G-207	elongated	115	107.00	75.40	60.99	42.99
	G-2210	**CLAYMORE** Reverse trap, round front, 12" rough	105	53.90	43.20	30.71	24.61
	G-2220	**CLARETON** Same as G-2210 except 14" rough	110	53.90	43.20	30.71	24.61
	G-2230	**CRESTON** Same as G-2210 except elongated	115	65.35	52.20	37.25	29.75
	G-2240	**CULVER** Same as G-2210 except 10" rough	110	53.90	43.20	30.71	24.61
		ORTON Washdown, round front bowl with 6 gallon tank, 2" elbow connection					
	G-215	14" rough	100	67.00	49.10	38.18	28.00
	G-216	12" rough	100	67.00	49.10	38.18	28.00
	G-2300	**LA CROSSE** Washdown, round front—12" rough	105	50.70	40.55	28.89	23.11
	G-2310	**LATROBE** Same as G-2300 except 14" rough	105	53.05	42.60	30.23	24.27
		NEW EMPRESS					
	G-3000	one piece, siphon-vortex, 12" rough round front	110	150.65	103.20	85.87	58.82
	G-3005	elongated	115	165.55	115.25	94.35	65.70
(NEW) AVAILABLE June 15, 1963		**PRINCESSE**					
	G-3015	One piece, siphon-vortex, 12" rough elongated, with anti-siphon float valve, R-3890 seat with cover.	122	205.70	148.95	117.25	84.91
		If less seat, specify and deduct:	7	19.65	17.80	11.20	10.15
closet combination, wall hung		**AURORA**					
	G-3200	Reverse trap, round front, with adjustable float valve, less seat, supply, and carrier	125	161.80	113.35	92.22	64.61
		NEW EDEN					
	G-3230	Reverse trap, round front bowl with 6 gallon tank, 2" elbow connection, 12" rough	105	78.30	56.70	44.64	32.31
		note: For anti-siphon float valve, add			2.00		1.12
		For locking device on closet tanks, add			5.05		2.88

sink and tray combinations—sinks — enameled cast iron

	plate no.	description	size	ship. wgt. lbs. (app.)	Suggested Consumer Price			Wholesaler's Net Price Each		
					acid-resisting enamel		regular enamel	acid-resisting enamel		regular enamel
					color	white	white	color	white	white
sink and tray combinations (less fittings, legs, and drainboard) flat rim		**TRAYLOR**								
	2445	right-hand tray	42x25	210		$81.17			$46.26	
	2446	left-hand tray	42x25	210		81.17			46.26	
	1980	sliding enameled drainboard for 2445-6				8.77			5.00	
		HALIFAX								
	4301	right-hand tray	42x21	146		61.75			35.20	
	4302	left-hand tray	42x21	146		61.75			35.20	
	1982	sliding enameled drainboard for 4301-2				7.55			4.30	
					A. R. enamel	regular enamel	painted	A. R. enamel	regular enamel	painted
					white	white	white	white	white	white
legs for sinks and sink-and-tray combinations	1998A	**SQUARE** sink		15	$ 9.66	$ 8.61	$ 5.41	$ 5.50	$ 4.88	$ 3.08
	1998B	**SQUARE** tray		10	8.03	7.09	4.73	4.58	4.05	2.69
					acid-resisting enamel		regular enamel	acid-resisting enamel		regular enamel
					color	white	white	color	white	white
flat rim sinks (less fittings)	2017	**SONORA** double compartment	32x18	100		$42.58			$24.27	
			32x20	103		$42.58			24.27	
	2020	**SABINA** end outlet, 6" deep	30x18	69		25.04			14.27	
	2021	**SEAFORD** center outlet, 6" deep	24x18	60		22.31			12.72	
			24x20	65		23.47			13.38	
			30x18	69		25.04			14.27	
	2110	**STRATTON** single compartment	24x21	70	$29.09	26.13		$16.58	14.91	
			30x21	90	34.23	30.87		19.51	17.60	
	2115	**SHELTON** double compartment	32x21	100	41.00	36.96		23.40	21.06	
			42x21	130	65.68	59.16		37.46	33.72	
		note: for special sink drillings, add per hole					$2.05			$1.17

FORM 120

BRIGGS | BEAUTYWARE

JOBBER BULLETIN

NO. 2-63

BRIGGS MANUFACTURING COMPANY • 8000 EAST 13 MILE ROAD • WARREN, MICHIGAN

Subject: POTTERY PRICE INCREASE Date: 2/1/63

Effective this date, prices on chinaware listed on Jobbers Bulletin 7-62, dated June 15, 1962, will be revised as follows:

	WHITE	COLOR
B-6421	$19.50	$24.40
B-6422	21.25	26.55
B-6423	21.50	26.90
B-6425	25.00	31.25
B-6432	17.90	22.40
B-3302	7.90	9.90
B-3312	9.80	12.25

The above prices will apply on new orders for truckload or carload delivery. Other china items may be combined with the above list to make up weight.

We reserve the right to withdraw these prices without notice.

We have added one new item to this list - our B-6425 Prince Elongated Closet Combination.

General Terms, Conditions of Sales and Freight Allowances will apply.

BRIGGS MANUFACTURING COMPANY

/ew

Exhibit D-21

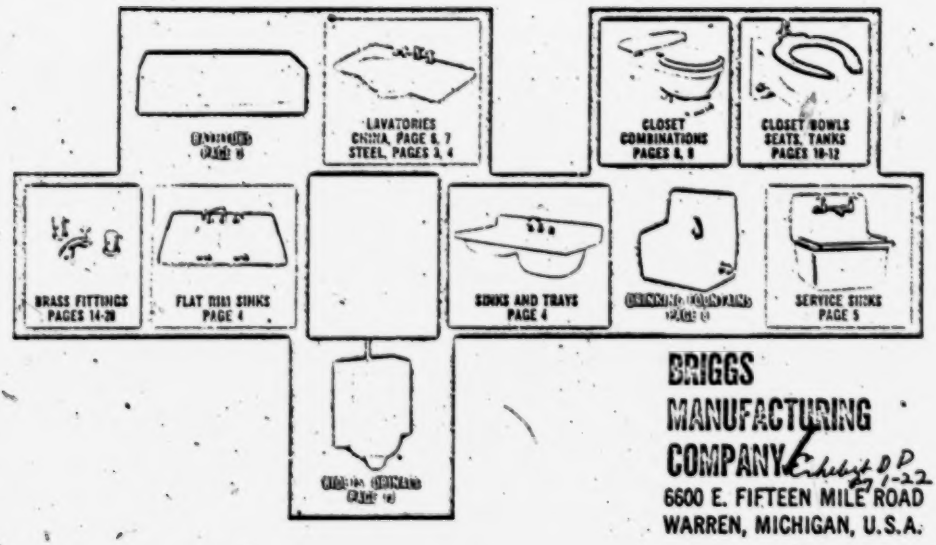
2/1/63 VC + 7% + 10% + 5% Brass + + Chrome Steel (B-306-2807) + L/L

APRIL 30
1962
WN-5
(FOR CATALOG
L-REV.)

BRIGGS
BEAUTYWARE

WHOLESALERS' PRICE LIST

APPLYING TO CATALOG L-REV.



BRIGGS
MANUFACTURING
COMPANY
6600 E. FIFTEEN MILE ROAD
WARREN, MICHIGAN, U.S.A.

720

VITREOUS CHINA

BRIGGS BEAUTYWARE

Model No.	DESCRIPTION	Size	Approx. Ship. Wt. Lbs.	Suggested Consumer Price Ea. White	Suggested Consumer Price Ea. Color	Wholesalers' Net Cost Price Each White	Wholesalers' Net Cost Price Each Color
	LAVATORIES (Less Supplies and Trap)						
B-3150-H	"CHAUCER" with T-8709 Fitting and B-3006 Knee Brackets	32x18"	58	$125.70	$139.55	$ 71.65	$ 79.54
B-3151-H	"CHAUCER" with T-8709 Fitting and B-3006 Knee Brackets	32x18"	58	125.70	139.55	71.65	79.54
	B-3080 Moulding for B-3150-H/B-3151-H.....Specify & Add			7.90	7.90	4.50	4.50
B-3160-H	"VALERY" with 2 T-8709 Fitting and 2 P-415, Holding Device	48x20"	100	156.30	168.30	89.09	95.92
B-3160-HB	"VALERY" with 2 B-3510 F.R. Lavatories, 2 T-8709 Fitting and 2 P-415 Holding Device	48x20"	136	195.00	216.65	111.15	123.50
B-3161-HB	Same as B-3160-HB except White Slab & Colored Lavatories	48x20"	136		204.70		116.75
B-3162-HB	Same as B-3160-HB except Colored Slab & White Lavatories	48x20"	136		207.00		117.98
	P-415 Holding Device for "VALERY", Only 1 Set			.70	.70	.40	.40
B-3212-HS	"WHITTIER" with T-8715-S Fitting	19x17"	42	53.40	58.45	30.45	33.32
B-3213-HS	"WHITTIER" with T-8715-S Fitting, for Concealed Arm	19x17"	42	56.90	61.95	32.45	35.32
B-3214-HS	"WHITTIER" with T-8715-S Fitting, for Exposed Arms	19x17"	42	53.40	58.45	30.45	33.32
B-3252-HS	"WHITTIER" with T-8715-S Fitting	22x18"	49	63.50	70.05	36.21	39.93
B-3253-HS	"WHITTIER" with T-8715-S Fitting, for Concealed Arm	22x18"	49	67.05	73.55	38.21	41.93
B-3254-HS	"WHITTIER" with T-8715-S Fitting, for Exposed Arm	22x18"	49	63.50	70.05	36.21	39.93
B-3282-HS	"WHITTIER" with T-8715-S Fitting	22x14"	45	54.10	59.20	30.84	33.76
B-3302	"WHITMAN" 4" Centers, less Fitting	19x17"	33	16.75	20.95	9.55	11.95
B-3312	"WHITMAN" 4" Centers, less Fitting	20x18"	38	19.70	24.70	11.23	14.08
B-3313	"WHITMAN" 4" Centers, for Concealed Arms, less Fitting	20x18"	38	23.95	29.05	13.64	16.55
B-3314	"WHITMAN" 4" Centers, for Exposed Arm, less Fitting	20x18"	38	20.40	25.50	11.64	14.55
B-3352	"WHITMAN" 4" Centers, less Fitting	24x20"	51	40.65	46.75	23.16	26.64
B-3382	"WHITMAN" 4" Centers, less Fitting	18x15"	32	17.80	20.50	10.16	11.69
B-3400	"MILTON" 4" Centers, less Fitting	18x15"	30	25.00		14.25	
B-3401	"MILTON" 4" Centers, for Concealed Arms, less Fitting	18x15"	30	28.50		16.25	
B-3402	"MILTON" 4" Centers, for Exposed Arm, less Fitting	18x15"	30	25.00		14.25	
B-3405	"MILTON" 8" Centers, less Fitting	18x15"	30	25.00		14.25	
B-3406	"MILTON" 8" Centers, for Concealed Arms, less Fitting	18x15"	30	28.50		16.25	
B-3407	"MILTON" 8" Centers, for Exposed Arms, less Fitting	18x15"	30	25.00		14.25	
B-3411	"MILTON" 4" Centers, for Legs, less Fitting	20x18"	40	25.60	29.45	14.60	16.79
B-3412	"MILTON" 4" Centers, for Concealed Arms, less Fitting	20x18"	40	29.40	33.80	16.75	19.26
B-3413	"MILTON" 4" Centers, for Exposed Arms, less Fitting	20x18"	40	25.60	29.45	14.60	16.79
B-3414-L*	"MILTON" 4" Centers with China Leg, less Fitting	20x18"	50	35.15	40.45	20.04	23.05
B-3417	"MILTON" 8" Centers, for Legs, less Fitting	20x18"	40	25.60	29.45	14.60	16.79
B-3418	"MILTON" 8" Centers, for Concealed Arms, less Fitting	20x18"	40	29.40	33.80	16.75	19.26
B-3419	"MILTON" 8" Centers, for Exposed Arms, less Fitting	20x18"	40	25.60	29.45	14.60	16.79
B-3420-L*	"MILTON" 8" Centers with China Leg, less Fitting	20x18"	50	35.15	40.45	20.04	23.05
B-3421	"MILTON" Secretum Complete with Cover and Waste Fitting	20x18"	45	134.60		76.72	
B-3450	"MILTON" 4" Centers for Legs, less Fitting	24x20"	56	43.80	50.40	24.98	28.73
B-3451	"MILTON" 4" Centers for Concealed Arms, less Fitting	24x20"	56	47.60	54.75	27.13	31.21

* Furnished with China Leg to set Rim 31", 27" or 24" from floor—Specify height required.

BRIGGS

BEAUTYWARE

VITREOUS CHINA

Model No.	DESCRIPTION	Approx. Ship. Wt. Lbs.	Suggested Consumer Price Ea. White	Suggested Consumer Price Ea. Color	Wholesalers' Net Cost Price Each White	Wholesalers' Net Cost Price Each Color
	CLOSE COUPLED (Less Seat, with China Bolt Caps)					
B-6350	"KING" Round Front, Wall Hung, less China Bolt Caps	110	$105.95	$121.75	$ 60.40	$ 69.41
B-6404	"CARLTON" Round Front 12" R. L. with Anti-Syphon Float Valve	101	52.20	65.25	29.75	37.20
B-6405	"CARLTON" Elongated Front 12" R. L. with Anti-Syphon Float Valve	102	57.95	72.45	33.03	41.29
B-6421	"PRINCE" Round Front 12" R. L.	100	40.35	50.35	23.00	28.70
B-6422	"PRINCE" Round Front 14" R. L.	100	40.35	50.35	23.00	28.70
B-6423	"PRINCE" Round Front 10" R. L.	100	40.35	50.35	23.00	28.70
B-6425	"PRINCE" Elongated Front 12" R. L.	101	48.25	60.35	27.51	34.39
B-6432	"DUKE" Round Front 12" R. L. with 2 Floor Screws and Washers	93	37.90	47.35	21.59	26.98
B-6432-I	"DUKE" Round Front, Integral Seat, 12" R. L., with 2 Floor Screws	93	44.35		25.27	
B-6435	"COUNT" Round Front 12" R. L. less Floor Screws	86	35.80	44.80	20.41	25.55
B-6439	"AMBASSADOR" Round Front 12" R. L.	101	38.25	47.90	21.82	27.30
	WITH WALL HUNG TANK (Less Seat, with China Bolt Caps)					
B-6406	"CARLTON" Elongated Front, 11½" R. L.	108	67.95	78.25	38.74	44.59
B-6407	"CARLTON" Round Front, 11½" R. L.	107	62.70	72.10	35.75	41.11
B-6413	"SCOUT" Elongated Front, 11½" R. L.	108	69.75	80.25	39.77	45.73
B-6414	"SCOUT" Round Front, 11½" R. L.	107	64.40	74.05	36.71	42.22
B-6416	"TOT" Round Front, 12½" R. L.	100	66.90	76.90	38.12	43.84
B-6441	"EARL" Round Front, 14" R. L.	88	45.90		26.15	
B-6442	"EARL" Round Front, 12" R. L.	91	45.90		26.15	
B-6443	"EARL" Round Front, 10" R. L.	97	51.20		29.18	
B-6465	"BARON" Round Front, Integral Seat, 14" R. L.	97	50.70		28.91	
B-6470	"KNIGHT" Round Front, 12" R. L.	104	53.05		30.23	
	Anti-Syphon Float Valve ..... Specify and Add		1.30	1.30	.75	.75
	Tank Cover Locking Device ..... Specify and Add		3.20	3.20	1.83	1.83

KOHLER of KOHLER

July 31, 1963

KOHLER OF KOHLER
PLUMBING FIXTURE PRICES
SYMBOL ST-731
EFFECTIVE JULY 31, 1963

ENAMELED CAST IRON

Plate Number	Description	Size	NET PRICES White A.R.	Color A.R.
K-515 K-516	DYNAMETRIC recess bath, less fittings	5-ft.	$53.50	$66.25
K-725 K-726	MINOCQUA recess bath, less fittings	5-ft.	44.50	48.95

VITREOUS CHINA

Plate Number	Description	Size	NET PRICES White	Color
	LAVATORIES			
K-1746	CHESAPEAKE lavatory with hanger, less fittings	19x17"	$ 8.00	$ 9.90
		20x18"	9.80	12.25
	CLOSE COUPLED CLOSETS with bolt caps less supply and seat			
K-3712-EB	WELLWORTH - ELONGATED		25.20	31.50
K-3712-PB	WELLWORTH, 12" roughing-in		19.30	24.40
K-3714-PB	WELLWORTH, 14" roughing-in		21.25	26.55
K-3716-PB	WELLWORTH, 10" roughing-in		21.50	26.90
K-3725-PB	TRYLON, 12" roughing-in		17.95	22.40
	If with ANTI-SIPHON float valve, add		.50	.50

Edward E

713

KOHLER
OF
KOHLER

Plumbing Fixtures

K-63-4
PRICE LIST
JULY 31, 1963

Exhibit EE
RP 1-49

744

KOHLER
Plumbing Fixtures

NOTICE

This price book is not an offer to sell to any person who possesses it, nor to anyone else, the goods listed herein at the prices shown.

K63-4 **LIST PRICES** apply to Kohler Plumbing Fixtures illustrated in Catalog K63, supersede previous Price Lists and quotations and are subject to change without notice. They are the basis for distributors' discounts and are **not intended as resale prices.**

These prices do not include local freight or cartage.

TAXES. Any manufacturer's or sales tax applicable thereto will be added to the prices and terms.

SHIPPING WEIGHTS are approximate, and apply to Fixtures, Seats and Fittings as cataloged. Weights are not guaranteed, but are shown only for customers' convenience.

CONTINGENCIES. We are not responsible for any delays which are beyond our control, such as those caused by fires, strikes, delays in transportation, or other contingencies.

DESIGN CHANGES. We reserve the right to make revisions without notice in the design of fixtures or in packaging unless this right has specifically been waived at the time the order is accepted.

SPECIAL FIXTURES. Cancellations or changes in specifications will not be accepted after production has begun on orders for colored fixtures, specially drilled items, all fixtures having unusual features requiring extra supervision in our factories, and fixtures, fittings and parts produced for us by other manufacturers.

RETURNED MERCHANDISE. Salable merchandise, which is shipped according to customers' specification, cannot be returned for credit.

WARRANTY. Kohler plumbing fixtures and fittings, manufactured and inspected with care by experienced workmen, are warranted free of manufacturing defects in accordance with Commercial Standards published by the United States Department of Commerce.

Replacements will be furnished where Kohler Co. inspection discloses any such defects occurring in normal usage within five years after installation. Claims will not be allowed for installation or consequential damages, nor for goods of other manufacture.

This is the complete Kohler Co. warranty. We disclaim any other warranties or representations.

DAMAGE IN TRANSIT. Every reasonable precaution is taken against breakage or other damage in transit. As all goods are shipped f.o.b. Kohler, Wis. or Spartanburg, S.C. at buyer's risk, our responsibility ceases upon delivery of the material in good order to the carrier. Claims against the carriers are to be filed by the buyer.

ACKNOWLEDGMENT OF ORDERS. Our acknowledgments should be checked promptly and any questions pertaining to our interpretation of any item should be called to our attention.

KOHLER CO.
KOHLER, WISCONSIN, U. S. A.

KOHLER
Plumbing Fixtures

CATALOG K63 Page	Plate Number	DESCRIPTION	Size	PRICES A-R Enamel White	PRICES A-R Enamel Color	App. Ship. Wt.
		ENAMELED CAST IRON BATHS **LESS FITTINGS**				
Not Illus.	K-255 K-256	METRIC—Recess Bath	5⅓-ft.	$192.90	$214.10	418
12	K-515	DYNAMETRIC—Recess Bath	4⅓-ft.	125.95	139.95	310
13	K-516	DYNAMETRIC—Recess Bath	5- ft.	119.05	132.25	360
		DYNAMETRIC—Recess Bath	5⅓-ft.	151.65	168.50	405
15	K-521	DYNAMETRIC—Corner Bath				
17	K-524	DYNAMETRIC—Corner Bath	5- ft.	149.35	165.95	410
17	K-561 K-564	COSMOPOLITAN—Corner Bath	4⅓-ft.	147.70	161.90	380
18	K-725	MINOCQUA—Recess Bench Bath	4⅓-ft.	93.95	100.10	280
19	K-726	MINOCQUA—Recess Bench Bath	5- ft.	91.20	95.95	310
		MAYFLOWER BATHS **WITH GALAXY FITTINGS**				
20	K-815-AL K-816-AL	MAYFLOWER—Recess Bath With K-6927 Fitting, K-7176 Pop-up Drain, Wall Grip Rail, Curtain Rod and Hook	48x44"	250.35	270.70	404
		For Brushed-Finish Chrome Fittings—Add		29.70	29.70	
20	K-815-FL K-816-FL	MAYFLOWER—Recess Bath With K-6925 Fitting, K-7176 Pop-up Drain, Wall Grip Rail, Curtain Rod and Hook	48x44"	240.60	260.95	402
		For Brushed-Finish Chrome Fittings—Add		25.85	25.85	
20	K-815 K-816	MAYFLOWER—Recess Bath, Less Fittings	48x44"	183.20	203.55	380
21	K-821-AL K-824-AL	MAYFLOWER—Corner Bath With K-6927 Fitting, K-7176 Pop-up Drain, Wall Grip Rail, Curtain Rod and Hook	48x44"	289.75	313.55	416
		For Brushed-Finish Chrome Fittings—Add		36.15	36.15	
21	K-821-FL K-824-FL	MAYFLOWER—Corner Bath With K-6925 Fitting, K-7176 Pop-up Drain, Wall Grip Rail, Curtain Rod and Hook	48x44"	280.00	303.80	415
		For Brushed-Finish Chrome Fittings—Add		32.30	32.30	
21	K-821 K-824	MAYFLOWER—Corner Bath, Less Fittings	48x44"	213.95	237.75	390

CATALOG K63 Page	Plate Number	DESCRIPTION	Size	PRICES White	PRICES Color	App. Ship. Wt.
		VITREOUS CHINA SHELF LAVATORIES				
		WITH FITTING, LESS TOWEL BARS, SUPPLIES AND TRAP (Continued)				
28	*K-1640-B	STRAND—With K-7450 Constellation Fittings, K-9582 Legs	20x14"	$ 70.00	$ 87.90	48
			26x15½"	84.30	109.35	58
New	K-1640-BQ	STRAND—With K-10320 Aquaric Fitting, K-9582 Legs	20x14"	65.35	83.25	48
			26x15½"	79.65	104.70	58
28	*K-1645-B	STRAND—With K-7450 Constellation Fitting	20x14"	58.55	76.45	43
			26x15½"	72.85	97.90	54
New	K-1645-BQ	STRAND—With K-10320 Aquaric Fitting	20x14"	53.90	71.80	43
			20x15½"	68.20	93.25	54
29	*K-1680-B	ROCKPORT—With K-7450 Constellation Fitting	17x17"	64.35	85.15	48
New	K-1680-BQ	ROCKPORT—With K-10320 Aquaric Fitting	17x17"	59.70	0.50	48
		*For STRAND and ROCKPORT Lavatories Specified With:				
		K-6970 Galaxy Polished Chrome Fitting—Add		7.10	7.10	
		K-6970-G Galaxy Brushed Chrome Fitting—Add		18.70	18.70	
		Self Closing Fittings—Add		8.80	8.80	
		SHELF DENTAL LAVATORIES				
29	K-1702-B	RINSE—With K-7466 Constellation Fitting	14x14"	59.30	79.20	31
29	K-1712-B	WALCOT—With K-7460 Constellation Fitting	14x14"	40.05	51.45	26
		*If above are fitted with Galaxy Fitting:—				
		Polished Chrome Fitting—Add		7.10	7.10	
		Brushed Chrome Fitting—Add		18.70	18.70	
		LEDGE LAVATORIES				
		LESS FITTING AND TOWEL BARS				
30	K-1736	CHESAPEAKE—With K-9582 Legs—dr. 10" c-c	30x22"	82.80	118.50	90
			19x17"	29.35	33.85	40
30	K-1741	CHESAPEAKE—With K-9582 Legs—dr. 4" c-c	20x18"	32.60	37.90	45
			24x20"	61.05	85.85	51
			18x15"	18.95	23.70	30
30	K-1746	CHESAPEAKE—With Hanger—dr. 4" c-c	19x17"	17.90	22.40	35
			20x18"	21.15	26.45	40

KOHLER
Plumbing Fixtures

Closets

CATALOG No. Page	Plate Number	DESCRIPTION	PRICES White	PRICES Color	App. Ship. Wt.
		ONE-PIECE CLOSETS			
		LESS SUPPLY AND LESS STOP			
51	K-3590-EB	CHAMPLAIN—Elongated, with K-4690 plain seat and cover with air freshener unit and removable hinge feature	$153.75	$209.35	122
		CHAMPLAIN—Elongated, with alternate seats:—			
		K-4692-J Pearlescent Closed Front Seat and Cover	153.75	209.35	122
		K-4696-P Plain Open Front Seat and Cover	148.35	204.20	122
		K-4696-J Pearlescent Open Front Seat and Cover	153.75	209.35	122
		K-4697-P Plain Open Front Seat Less Cover	146.45	.....	120
		If Champlain Closets are Specified with—			
		K-7650 ⅜" I.P.S. Angle Supply with Stop—Add	4.40	4.40	
		K-7651 ⅜" Angle Supply with Stop and Annealed Vertical Tube—Add	3.80	3.80	
52	K-3605-EB	PLACID—Elongated, Less Seat	118.80	169.75	134
		CLOSE-COUPLED CLOSETS			
		LESS SUPPLY AND LESS STOP			
53	K-3640-PB	CAYUGA—Round Front Wall Hanging Closet, Less Seat	74.70	93.10	139
New	K-3642-PB	CAYUGA—Round Front Wall Hanging closet Less Seat (Closet Support is Not Included with K-3640-PB and K-3642-PB)	69.95	88.35	139
54	K-3675-EB	BOLTON—Elongated, Less Seat	77.90	109.35	132
54	K-3675-PB	BOLTON—Round Front, Less Seat	73.50	102.45	131
55	K-3712-EB	WELLWORTH—Elongated, 12" Roughing-in, Less Seat	52.05	65.45	110
55	K-3712-PB	WELLWORTH—Round Front, 12" Roughing-in			
55	K-3714-PB	WELLWORTH—Round Front, 14" Roughing-in } Less Seat	43.35	54.10	106
55	K-3716-PB	WELLWORTH—Round Front, 10" Rough-in, Less Seat	43.75	54.80	108
56	K-3725-PB	TRYLON—Round Front, Less Seat	40.75	50.90	106
56	K-3729-PB	TRYLON—Integral Seat	45.25	.....	106
		SEPARATE BOWL AND TANK CLOSETS			
		LESS SUPPLY AND LESS STOP			
59	K-4312-EB	JUVENILE—Elongated, Less Seat	75.30	.....	139
59	K-4312-PB	JUVENILE—Round Front, Less Seat	69.55	.....	138
59	K-4318-EB	PRIMARY—Elongated, Less Seat	67.10	.....	107
		If K-3605-EB thru K-4318-EB Closets are specified with K-7638 Angle Supply and Stop—Add	3.80	3.80	
		If K-3642-PB and K-3712-EB thru K-4318-EB Closets are specified with Anti-siphon Float Valve—Add	2.15	2.15	
		FOR FLUSH VALVE COMBINATION:—See Prices of Separate Bowls—Pages 15 and 16 and "Metro" Flush Valves on pages 40 and 41.			
		FOR SEAT PRICES—See page 18.			
		NOTE:—Prices for all Closet Combinations do not include floor bolts. They are part of floor flange assembly or can be ordered separately.			

GRANDE

WHOLESALERS' PRICE BULLETIN

Issued by: PEAC Group - Johnstown, Pa. Bulletin No. PW3-61
Supersedes and cancels Bulletin No. Special Price Bulletin PW3-59 Dated August 30, 1963
Enclosures: References:

Subject: SPECIAL COMPETITIVE PRICES - EFFECTIVE AUGUST 30, 1963

Terms and Conditions:

1. Regular freight, cash discount and other general terms and conditions outlined in current PW Price Book apply, except that no price protection is available at these prices.
2. These prices are for shipment at factory convenience. No delayed delivery orders will be accepted.
3. No less than truckload or carload orders will be accepted on each commodity (factory or carload), although items other than those listed below may be shipped mixed to make weight.
4. These unprotected prices do not supersede wholesaler net prices on these items as listed in current price book and supplement.
5. We reserve the right to limit quantities.
6. Prices subject to withdrawal without notice. Only orders postmarked as being in the mail to us prior to the effective date of withdrawal will be accepted on basis of prices noted below.
7. Prices are subject to the addition of any applicable manufacturers' or sales tax.

	Wholesalers Net Price Each	
1-330 20x18" Yorkshire Lavatory, 1/[illegible]	$9.00	[illegible]
1-320 19x17" Westmont Lavatory, 1/[illegible]	7.90	8.50
3-130-10 Oxford, 10" [illegible], 1/[illegible]	21.50	23.00
3-130-12 Oxford, 12" [illegible], 1/[illegible]	20.00	21.50
3-130-15 Oxford, 15" [illegible], 1/[illegible]	21.25	23.00
3-[illegible] Oxford Elongated Closet, 1/[illegible]	[illegible].00	24.75
3-175 Harvard Closet, 1/[illegible]	17.00	[illegible].00
For semi-siphon wall [illegible] on closets add	.50	.50

	A.B. [illegible]	
2-78 5' Premier Recess Bath, less [illegible]	$[illegible].00	[illegible].00
2-80 5' Crittenden Recess Bath, less [illegible]	50.00	46.00
2-100 5' Fairfax Recess Bath, less fittings	44.50	43.00

Exhibit P-20

CRANE

WHOLESALER
NET PRICE BOOK
PN-14

CONFIRMS PRICE CHANGES EFFECTIVE JULY 15, 1963

JULY 31, 1963

PLUMBING FIXTURES AND FITTINGS

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CRANE CO.

P. O. BOX 780 JOHNSTOWN, PA.

Exhibit F F
A91-46
795

PRINTED IN U. S. A.

238-135 O - 66 - 5

LAVATORIES—VITREOUS CHINA

Catalog Number	DESCRIPTION	Size Inches	Approx Shpg Wt Pounds	Suggested Consumer Price		Wholesalers Net Price Each	
				White	Color	White	Color
	VITREOUS CHINA LAVATORIES—Cont'd						
	Less All Fittings, Unless Otherwise Described.						
*1-235-2	CRESCENT—Same except with 8-1032A Supply and Waste Fitting	36x18½	95	135.68	182.05	77.09	103.44
*1-235-20	CRESCENT—Same except with 8-2020A Supply and Waste Fitting	36x18½	95	127.09	173.47	72.21	98.56
*1-235-22	CRESCENT—Same except with 8-2024A Supply and Waste Fitting	36x18½	95	128.81	175.19	73.19	99.54
†1-235	CRESCENT—Lavatory Cabinet with Exterior, Front and Sides Surfaced with "White Sequin" #28-SE-1 Formica, 2 Legs and 2 Handles, Brush Finish Chrome Plate	34x17⅞	....	71.10	.....	40.40	.....
	†F.O.B. Chicago—No Freight Allowance.						
1-270-1	ELAYNE—with 8-1008 Supply and Waste Fitting	27x20	63	122.36	152.31	69.52	86.54
1-270-2	ELAYNE—with 8-1009 Supply and Waste Fitting	27x20	63	122.36	152.31	69.52	86.54
1-272-B 1-272-S 1-272-V	CROWN—Round with Oval Basin	18x18	28	30.96	46.43	17.59	26.38
1-275-1	MARCIA—with 8-1004 Supply and Waste Fitting	24x21	60	115.39	144.00	65.56	81.82
1-275-2	MARCIA—with 8-1006 Supply and Waste Fitting	24x21	60	115.39	144.00	65.56	81.82
1-277-1	CELESTE—with 8-1040A Supply and Waste Fitting	24x21	60	129.71	163.59	73.70	92.95
1-277-2	CELESTE—with 8-1042A Supply and Waste Fitting	24x21	60	129.71	163.59	73.70	92.95
1-278-V 1-278-S	CELETTE—Ware Only	20x18	35	26.52	39.78	15.07	22.60
1-282-B 1-282-S 1-282-V	WESTLAND—Ware Only	20x19	35	26.52	39.78	15.07	22.60
1-282-1	WESTLAND—with 8-1008 Supply and Waste Fitting	20x19	44	88.95	102.20	50.54	58.07
1-282-2	WESTLAND—with 8-1009 Supply and Waste Fitting	20x19	44	88.95	102.20	50.54	58.07
1-284-S 1-284-V	COUNTESS—Ware Only	20x17	36	28.44	37.29	16.16	21.19
1-300-V	YORKSHIRE—with Concealed Hangers and Screws	20x18	38	21.19	26.47	12.04	15.04
1-307	YORKSHIRE—with Concealed Hangers and Screws	20x18	38	24.64	30.75	14.00	17.47
1-311-V	PETITE—with Concealed Hangers and Screws	14x14	35	26.54	39.81	15.08	22.62
1-320-V	WESTMONT—with Concealed Hangers	19x17	33	17.99	22.51	10.22	12.79
	*If Less Aerator, Specify and ..... Deduct	.....	....	1.06	1.06	.60	.60

LAVATORIES—PORCELAIN ENAMELED CAST IRON

Catalog Number	DESCRIPTION	Size Inches	Approx Shpg Wt Pounds	Suggested Consumer Price White A.R.	Suggested Consumer Price Color A.R.	Wholesalers Net Price Each White A.R.	Wholesalers Net Price Each Color A.R.
	A.R. ENAMELED CAST IRON LAVATORIES Less All Fittings, Unless Otherwise Described.						
1-288-S 1-288-V	CHARLOTTE	20x18	40	20.28	25.34	11.52	14.40
1-288-B 1-294-S 1-294-V	APRIL	20x18 18x18	40 39	23.80 20.17	28.86 25.22	13.52 11.46	16.40 14.33
*1-455-20	NEUDAY—w/8-2010A Supply and Waste Fitting, Hanger	19x17	65	43.90	53.43	26.08	30.36
*1-455-22	NEUDAY—w/8-2014A Supply and Waste Fitting, Hanger	19x17	65	47.36	54.89	26.91	31.19
*1-455-30	NEUDAY—w/8-3000A Supply and Waste Fitting, Hanger	19x17	65	42.15	49.72	23.95	28.25
*1-455-34	NEUDAY—w/8-3010A Supply Fitting w/ chain and stopper, hangers	19x17	65	37.42	44.99	21.26	25.56
1-465-20	FAIRFAX—w/8-2012A Supply and Waste Fitting, Hanger	22x19	80	51.00	59.84	29.00	34.00
1-465-22	FAIRFAX—w/8-2016A Supply and Waste Fitting, Hanger	22x19	80	52.50	61.30	29.83	34.83
1-465-30	FAIRFAX—w/8-3002A Supply and Waste Fitting, Hanger	22x19	80	47.17	55.97	26.80	31.80
1-465-34	FAIRFAX—w/8-3010A Supply Fitting w/ chain and stopper, hanger	22x19	80	42.43	51.23	24.11	29.11
	*If less aerator, specify and deduct			1.06	1.06	.60	.60
1-506-S	FERMONT—w/back, Concealed) Hanger)	19x17	42	23.55	29.44	13.38	16.73
1-506-V	)	20x18	52	26.70	33.37	15.17	18.96

CAST IRON LAVATORY VARIATIONS

For drillings in slab or back other than shown in catalog ..... Per Hole 1.50
Painting underside wall hung lavatories ..... Per Lavatory .50

LAVATORIES—PORCELAIN ENAMELED STEEL

Catalog Number	DESCRIPTION	Size Inches	Approx Shpg Wt Pounds	Suggested Consumer Price White A.R.	Suggested Consumer Price Color A.R.	Wholesalers Net Price Each White A.R.	Wholesalers Net Price Each Color A.R.
1-290	STAFFORD—Countertop, Less Fittings	19⅛x15⅝	12	14.15	15.56	8.04	8.84
1-293	STELLAR—Countertop, Double Bowl, Less Fittings	20x18 42x18	18 43	15.08 36.82	16.60 40.48	8.57 20.92	9.43 23.00
1-299	STEVENS—Countertop, Round, Less Fittings	18x18	17	15.08	16.60	8.57	9.43
1-472	STEPHANIE—Shelf Back, Less Fittings	20x18	25	24.32	26.77	13.82	15.21

BATHS—PORCELAIN ENAMELED CAST IRON

	LESS FITTINGS						
2-42 2-50	NEU-TARNIA—Corner NEU-VOGUE—Recess Receptor	49¾x49¾ 48x46	545 460	276.76 229.45	307.56 255.06	157.25 130.37	174.75 144.92
2-56	FATHOM—Recess	6'-0"	540	230.47	255.99	130.95	145.45
2-60	CRITERION—Corner	5'-0"	445	150.25	166.97	85.37	94.87
2-78	PREMIER—Recess	5'-0"	360	118.60	136.42	67.89	77.51
2-80	CRITERION—Recess	5'-0"	355	118.60	136.42	67.89	77.51
		5'-6"	420	153.58	170.68	87.26	96.98

BATHS—PORCELAIN ENAMELED CAST IRON

Catalog Number	DESCRIPTION	Size Inches	Approx Shpg Wt Pounds	Suggested Consumer Price White A.B.	Suggested Consumer Price Color A.B.	Wholesalers Net Price Each White A.B.	Wholesalers Net Price Each Color A.B.
2-93	NEUDAY—Recess	4'-6"	310	99.07	105.58	56.29	59.99
2-100	FAIRFAX—Recess	5'-0"	315	91.27	96.10	51.87	54.60
*2-560	MARC ANTONY—Recess	6'-0"	498	269.19	294.81	152.95	167.45
*2-600	CAESAR—Corner	5'-0"	403	185.45	202.17	105.37	114.87
*2-780	CENTURION—Recess	5'-0"	326	145.00	162.82	82.89	92.51

*Made to order basis only and Prices are based on tub aprons ranging from 4 to 8". Orders Must Specify Apron Height Required.

BATHS—DURACLAY

2-130	LaHOMA—Recess Receptor	42x31	270	152.10	228.13	86.42	129.62

BATHS—PORCELAIN ENAMELED STEEL

Catalog Number	DESCRIPTION	Size Inches	Approx Shpg Wt Pounds	Suggested Consumer Price White A.B.	Suggested Consumer Price Color A.B.	Wholesalers Net Price Each White A.B.	Wholesalers Net Price Each Color A.B.
	LESS FITTINGS						
2-155	OMEGA—Corner	5'-0"	128	99.49	109.44	56.53	62.18
2-160	OLYMPIC—Recess	4'-6"	114	75.31	82.84	42.79	47.07
2-161	OAKMONT—Recess	5'-0"	120	78.43	86.26	44.56	49.01
2-163	OTTAWA—Recess	5'-0"	115	74.50	81.95	42.33	46.56
2-183	CRESTMONT—Free Standing, Double Apron	5'-0"	204	12.46	123.71	63.90	70.29
2-185	CRESTMONT—Recess Receptor	42x30¾	80	69.17	76.08	39.30	43.23
	For Slip Proof Bottom Surface on Steel Tubs Add			8.80	8.80	5.00	5.00
	Leg Supports for Oakmont or Ottawa Tubs can be furnished on Special Order			†	†	†	†

CLOSETS—VITREOUS CHINA

Catalog Number	DESCRIPTION	Size	Approx Shpg Wt Pounds	Suggested Consumer Price White	Suggested Consumer Price Color	Wholesalers Net Price Each White	Wholesalers Net Price Each Color
	ONE-PIECE CLOSETS						
3-112	AMBASSADOR—Elongated, Closet with Bolt Caps, Supply, Stop, Escutcheon and 3-887 Teleseat		130	150.44	213.79	85.48	121.47
	CLOSE-COUPLED CLOSETS With Bolt Caps, Less Supply and Stop						
3-102	CRITERION—Elongated, with 3-102 Seat with Telescopic Cover		174	157.48	234.27	89.48	133.11
3-104	CRITERION—Elongated, with Seat (Sahara Tank)		183	166.09	239.01	94.37	135.80
3-113	REXMONT—Regular Rim, Less Seat		130	71.10	88.88	40.40	50.50
3-126	DREXEL—Regular Rim, Less Seat		111	70.84	98.98	40.25	56.24
	For Anti-Siphon Float Valve Add			1.94	1.94	1.10	1.10

† Prices on Application.

CLOSETS—VITREOUS CHINA

Catalog Number	DESCRIPTION	Size	Approx Shpg Wt Pounds	Suggested Consumer Price		Wholesalers Net Price Each	
				White	Color	White	Color
	CLOSE-COUPLED CLOSETS With Bolt Caps, Less Supply and Stop						
3-127	DREXEL—Elongated Rim, Less Seat		114	77.16	103.36	43.84	60.43
3-128	DREXEL—Regular Rim, Less Seat (Sahara Tank)		120	90.06	119.70	51.17	68.01
3-129	DREXEL—Elongated Rim, Less Seat (Sahara Tank)		123	96.36	127.07	54.75	72.20
3-140-10	OXFORD—10" Rough—Regular Rim L/Seat		97	43.84	54.81	24.91	31.14
3-140	OXFORD—12" Rough—Regular Rim L/Seat		97	43.42	54.24	24.67	30.82
3-140-14	OXFORD—14" Rough—Regular Rim L/Seat		97	43.42	54.24	24.67	30.82
3-141	OXFORD—Elongated L/Seat		109	52.45	65.54	29.80	37.24
3-142	OXFORD—Regular Rim, Less Seat (Sahara Tank)		112	80.15	102.27	45.54	58.21
3-175	HARVARD—Regular Rim, Less Seat		94	40.87	51.04	23.22	29.00
3-177	HARVARD—Regular Rim, Less Seat (Sahara Tank)		111	75.72	96.20	43.02	54.66
3-167	PETITE—Regular Rim, Less Seat		86	55.60	68.64	31.59	39.00
3-284	HY-SAN—Close-Coupled, with Tank and Trim, Less Supply Pipe, Stop and Bolt Caps		143	115.26	†	65.49	†
	For Anti-Siphon Float Valve ..... Add		.....	1.94	1.94	1.10	1.10
	SEPARATE BOWL AND TANK CLOSETS						
3-115	WALSAN—Regular Rim, Bowl, with 3-886 Teleseat		68	87.00	110.11	49.43	62.56
3-115	Concealed Tank and Access Wall Panel, for Walsan Closet, Less Carrier Fitting Use 3-1200 Carrier Fitting for 3-115 WALSAN Closet. For Prices and Proper Index Number, Refer to J. A. Zurn's Current Price Sheet.		35	86.06	86.06	48.90	48.90
3-200	SAXONET—Regular Rim—2" Back Spud, Bowl Only		38	18.52	27.77	10.52	15.78
3-220	TROY—Elongated Rim—2" Back Spud, Bowl Only		45	30.84	†	17.52	†
3-221	TROY—Regular Rim—2" Back Spud, Bowl Only Low Tanks for above bowls—refer to 3-560		44	26.08	†	14.82	†
3-204	SANTON—Elongated Rim—2" Back Spud		75	44.56	†	25.32	†
3-206	SANTON—Regular Rim—2" Top Spud		57	32.49	48.73	18.46	27.69
3-207	SANTON—Elongated Rim—2" Top Spud		58	38.02	57.04	21.60	32.41
3-208	SANTON JR.—Elongated Rim—2" Top Spud		64	40.60	†	23.07	†
3-209	SANTON JR.—Regular Rim—2" Top Spud		60	35.23	†	20.02	†
3-210	BABY—Regular Rim—2" Top Spud		51	38.91	†	22.11	†
3-215	SANETO—Elongated Rim—2" Top Spud		58	38.02	57.04	21.60	32.41
3-216	SANETO—Regular Rim—2" Top Spud Low Tanks for above bowls—refer to 3-570		57	34.06	51.08	19.35	29.02

† Prices on Application.

RX 16

UNIVERSAL-RUNDLE CORP.
INTER-ORGANIZATION CORRESPONDENCE

DATE Nov. 28 1956

TO ALL DISTRICT SALES MANAGERS FROM W. B. KARINER

AT AT NEW CASTLE OFFICE

SUBJECT: CAST IRON PRICES

This will confirm our phone conversation and teletype in which we offered you a special discount of 10% from wholesalers' net on the following fixtures:

Tubs:

4 1/2'-5'-5 1/2'- Corner 16" Tubs, white and color.
14" - No change.

Sinks:

All - white and color.

Lavatories:

2204, 2212, 2213, white and color.

Terms:

1. Price effective November 29 until further notice. Subject to immediate withdrawal.
2. Price applies to truckload or carload quantities only.
3. Orders accepted for immediate delivery only.
4. Prices not applicable to projects.

We do not feel that we can generally give the above discounts on projects and protect the price for a period of 12 months. We will, however, continue to give individual consideration to project quotations.

Offer judiciously.

/s/ WBK
W. B. KARINER

WBK:cb
cc: Stanley S. Backner
J. M. Patterson
F. H. Cornelius
G. D. Pence
H. P. Wasgolis

FEDERAL TRADE COMMISSION
Docket No. 8070 Respondent
Exhibit No. 16
In the Matter of: Universal-Rundle
Date: 11/1/62 Witness _____
Reporter _____ 22[illegible]

VRX 17

[illegible] - APRIL 10, 1957

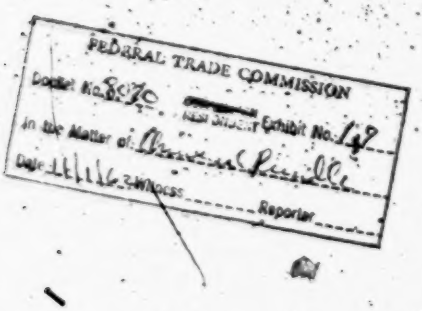
[illegible] IMMEDIATELY, THIS WILL AUTHORIZE YOU TO OFFER YOUR CUSTOMERS [illegible] ITEMS AT THE SPECIAL PRICES INDICATED.

		WHITE	COLOR
[illegible]	CARDINAL CLOSET, REGULAR BALLCOCK	21.45	25.85
[illegible]	CASTLE CLOSET, REGULAR BALLCOCK	21.45	25.85
[illegible]	CARMEN 20 X 18 LAV	10.50	13.10

[illegible] OFFER IS SUBJECT TO FOLLOWING CONDITIONS.

1. [illegible] MAY BE WITHDRAWN AT ANY TIME WITHOUT NOTICE.
2. ORDERS ACCEPTED FOR IMMEDIATE SHIPMENT ONLY.
3. [illegible] INCLUDED IN ORDERS OF TRUCKLOAD OR CARLOAD QUANTITIES.
4. REGULAR FREIGHT AND TRADE TERMS APPLY.

[illegible] H. PATTERSON



F. H. Cornelius
RX-19

SPECIAL PRICE OR DISCOUNT APPROVAL
Form No. 1.211 - 9/57

FEDERAL TRADE COMMISSION

Part ALL DISTRICTS | Docket No. 5[illegible] | Special Price Approval No. A11-5-57
In the Matter of [illegible] | Effective Date 7-15-57
Date 11/11/6[illegible] Witness _____ Reporter | Expiration Date [illegible]

DATE	SUPERCEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	U/I Code No.
7-15-57	-	-	-	-	-	-

Reason for Special Price or Discount: To meet competitive special cast iron prices only where necessary to insure our sustaining cast iron fixture business.

Type of Special Price or Discount: Authorized to offer the following prices where it is necessary to compete on cast iron:

Product No.	Item	White Regular	White A/R	Color
2110-11	Master Meadow	51.12	57.45	65.75
2204	Lodgemaster	20.33	22.09	23.80
2203	Lodgemaster	22.67	24.78	26.85
2352	Layton	-	18.76	20.83

Orders must be for immediate release.

Prices subject to withdrawal without notice.

Prices to be used only where necessary to be competitive.

Use only for T/L or C/L quantities.

To be shipped at convenience of Cast Iron Plant.

"Confirming 'phone calls of 7-15-57"

Special Remarks: To be used by District Sales Managers when, in their judgment, they deem it necessary to compete.

SIGNED BY: W. Tennell
Sales Manager (or D. Signee)

Vice President, Sales (or Designee)

2257

SPECIAL PRICE OR DISCOUNT APPROVAL
Form No. 8.211 - 7/57

VRX-20

For: ALL DISTRICTS

Special Price Approval No.	
	7-15-57
Effective Date	
7-15-57	
Expiration Date	
[ ] INDEFINITE	

DATE	SUPERSEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	U/M Order No.
7-15-57	-	-	-	-	-	-

Reason for Special Price or Discount: To meet all major competitors' prices.

Type of Special Price or Discount: Authorized to quote following prices on orders of carload quantities:

		White	Color
6050-51	Giro Steel Tubs	39.75	43.75

Orders must be for immediate release.

Prices are subject to withdrawal without notice.

FEDERAL TRADE COMMISSION
Docket No. 6676 Respondent Exhibit No. 20
In the Matter of Universal Rundle
Date 11/1/62 Witness Reporter

Special Remarks:

SIGNED BY: W. F. Farrell
Sales Manager (or Designee)

Vice President, Sales (or Designee) 2258

VRX 21

SPECIAL PRICE OR DISCOUNT APPROVAL
Form No. 1211 - 7/57

For: ALL DISTRICTS

Special Price Approval No.	ALL-2-57
Effective Date	7-15-57
Expiration Date	WHEN WITHDRAWN

DATE	SUPERCEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	U/R Order No.
7-15-57	-	-	-	-	-	-

Reason for Special Price or Discount: All major competitors have issued similar prices. Meeting competitors.

Type of Special Price or Discount: On April 10, 1957, all districts were authorized to offer the following items at the prices indicated:

	White	Color
4030 Cardinal Closet	21.45	26.85
4035 Castle Closet	21.45	26.85
4554 Carman Lavatory	10.50	13.10

Subject to following conditions:

1.) May be withdrawn without notice

2.) Immediate release on orders

3.) In truckload orders or bigger

Special Remarks:

FEDERAL TRADE COMMISSION
DOCKET NO. 6026 RESPONDENT Exhibit No. 21
In the Matter of: Universal-Rundle
Date 11-1-62 Witness _____ Reporter _____

SIGNED BY: J.W. Fennell
Sales Manager (or Designee)

Vice President, Sales (or Designee)

VRX 22

Cancellation of
SPECIAL PRICE OR DISCOUNT APPROVAL
Form No. 1.111 - 7/57

For: ALL DISTRICTS

Special Price Approval No.
All -4-57
Effective Date
7-12-57
Expiration Date

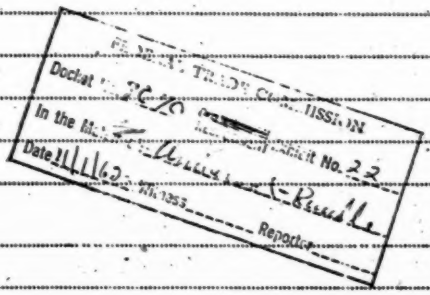
DATE	SUPERCEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	U/R Order No.
7-12-57	All-2-57	7-15-57				

Reason for Special Price or Discount: Withdrawal

Type of Special Price or Discount: Effective 7-12-57 the special prices on the Cardinal and Castle Closets and the Carman lavatory are withdrawn. No coverage is allowed beyond our regular terms outlined on the inside back cover of the Price Book.

Normal discounts will apply on new orders.

Confirming 'phone calls of 7-12-57.



Special Remarks:

SIGNED BY:

*Sales Manager (or Designee)

Vice President, Sales (or Designee)

22-10

FEDERAL TRADE COMMISSION
Docket No. 8070 ✓Respondent Exhibit No. 23
In the Matter of: Universal-Rundle
Date 11/1/62 Witness _____ Reporter _____

SPECIAL PRICE OR DISCOUNT APPROVAL
Form No. 1.111 - 7/37

For: ALL DISTRICTS

Special Price Approval No. ALL-3-57
Effective Date 7-15-57
Expiration Date WHEN WITHDRAWN

DATE	SUPERCEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	U/R Order No.
7-15-57	-	-	-	-	-	-

Reason for Special Price or Discount: To conform to pricing practices in steel sink industry.

Type of Special Price or Discount: Authorized to quote following prices in quantities indicated. Prices are delivered prices.

Part No.	Description	Quantities Ordered 1-10	11-50	Over 50
6523-24	Court 24 x 21	8.93	7.50	6.50
6533-34	Concourse 32 x 21	17.25	13.50	12.40

		1-49	Over 50
6543-44	Centennial-S&T RH Sink	21.98	20.50
6545-46	Centennial-S&T LH Sink	21.98	20.50
85205	Drainboard for Sink & Tray	2.95	2.95

		Any Quantity
65031	Fleetwing 32 x 20	14.65

		25	Over 25
6634	Commander 32 x 21	29.50	29.15
6624	Cavalier 24 x 21	17.40	17.00

SIGNED BY:

s/s F. W. Fennell
Sales Manager (or designee)

Vice President, Sales (or designee)

✓RX 24
B, PH., ATL, CH, SL

SPECIAL PRICE OR DISCOUNT APPROVAL
Form No. 1.111 - 7/57

For: BOSTON, PHILADELPHIA, ATLANTA, CHICAGO, ST. LOUIS DISTRICTS

Special Price Approval No.	L-1-57
Effective Date	7-15-57
Expiration Date	WHEN WITHDRAWN

DATE	SUPERCEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	U/R Order No.
7-15-57	-	-	-	-	-	-

Reason for Special Price or Discount: To meet monoline competition and regain low priced fixture business.

Type of Special Price or Discount: Authorization to offer the Civilian Closet at following price in white and in orders comprising a full truckload of ware or more:

4070 Civilian W/D White Only $18.50

Furnished with regular b/c, less bolt caps and floor screws, less trademark.

Subject to withdrawal without notice.

FEDERAL TRADE COMMISSION
Docket No. 8070 Exhibit No. 24
In the Matter of: Universal-Rundle
Date 11/16/62 Witness Reporter

Special Remarks:

SIGNED BY:

W. F. Turner
Sales Manager (or Designee)

2282

Vice President, Sales (or Designee)

VRX25-1

SPECIAL PRICE OR DISCOUNT APPROVAL

Form No. 1.281 - 2/57

FEDERAL TRADE COMMISSION

Docket No. 8070 Complaint No. 25

In the Matter of Universal-Rundle

Date 11/1/62 Witness Reporter

Special Price Approval No. ALL-6-57

Effective Date 8-9-57

Expiration Date WHEN WITHDRAWN

Port: ALL DISTRICTS

DATE	SUPERCEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	U/M Order No.
8-9-57	ALL-5-57	7-15-57	-	-	-	-

Reason for Special Price or Discount: To meet special cast iron prices of major competitors.

Type of Special Price or Discount: Authorized to offer the following prices:

Product No.	Item	White Regular	White A/R	Color
2110-11	Master Meadow	51.13	57.52	65.75
2114-15	Meade 14" Tub	41.94	43.97	46.27
2204	Ledgemaster 19 x 17	20.33	22.09	23.80
2203	Ledgemaster 22 x 19	22.67	24.78	26.84
2270	Wycliff 20 x 17	9.35	10.52	11.69
2212-13	Wayne 19 x 17	12.34	13.87	15.43
2210-11	Wakely 19 x 17	10.85	12.20	-
2352	Layton Ledge 32 x 21	-	18.76	20.83
2360	Layton Ledge 42 x 21	-	30.12	33.48
2310	Park Ledge 24 x 21	-	12.81	14.23

ORDERS MUST BE FOR IMMEDIATE RELEASE.

Special Remarks: PRICES SUBJECT TO WITHDRAWAL WITHOUT NOTICE.

MUST BE TRUCKLOAD OR CARLOAD QUANTITIES.

TO BE SHIPPED AT CONVENIENCE OF PLANT.

"Confirming Phone Calls of 8/9/57"

SIGNED BY:

[signature]

Vice President, Sales (or Designee)

2263

565

VRX 2-6

SPECIAL PRICE OR DISCOUNT APPROVAL

BOSTON, PHILADELPHIA, ATLANTA, DALLAS, ST. LOUIS, CHICAGO

Special Price Approval No. L-3-57
Effective Date 8-22-57
Expiration Date WHEN WITHDRAWN

DATE	SUPERCEDES APPROVAL		APPLIES TO			
	Number	Effective Date	District Sales Mgr.	Territory	Customer Code No.	O/A Order No.
8-22-57	-	-	-	-	-	-

Reason for Special Price or Discount: To meet competitors' prices.

Type of Special Price or Discount: Authorized to offer following prices on the items indicated:

		White	Color
1554	CARMEN LAVATORY	10.56	13.20
1030	CARDINAL COMBINATION	21.00	26.25
1035	CASTLE COMBINATION	21.00	26.25
1039	CASTLE COMBINATION	21.00	26.25
1072	CIVILIAN COMBINATION	18.50	
1070	COMMANDO		23.13
1122	CHAMPION BOWL	8.14	
1114	CHAMPION BOWL	8.14	

FEDERAL TRADE COMMISSION
Docket No. 5828 — 26
Washington (8 Exhibits)
Filed

Special Remarks: Orders must be for truckload quantities and for immediate release. Shipment at the convenience of our plants. Subject to withdrawal without notice.

Signed By:

Sales Manager (or Designee)

Vice President, Sales (or Designee)

2284

VRX-258

CONFIDENTIAL

July 15, 1957

DPE-1-57

(Supersedes DP-14-56)

SUBJECT: DISCOUNT POLICY for all Districts except the Western District

Note: "Wholesalers' Net Prices" mentioned apply to those published in the current Wholesale Price Book.

Vitreous China

Wholesalers' Net Prices will apply to Vitreous China fixtures when included in orders of LTL and LCL quantities.

Wholesalers' Net Prices will apply to drinking fountains.

Wholesalers' Net Prices will apply to #4010-#4011 combinations.

Wholesalers' Net Prices less 5% will apply to all other Vitreous China fixtures in white and color when included in orders of truckload or carload quantities with the following exceptions:

Wholesalers' Net Prices less 10% will apply to the following V/C fixtures in white when included in orders of truckload or carload quantities:

Washdown Uni-Closet Combinations	
Reverse Trap Uni-Closet Combinations	
#4544-4545	20 x 18 Lavatories
#4582-4583	19 x 15 Lavatories
#4554	20 x 18 Lavatories
#4558	20 x 18 Lavatories

Cast Iron

Wholesalers' Net Prices will apply to Cast Iron fixtures when included in orders of LTL and LCL quantities.

Wholesalers' Net Prices will apply to Cast Iron fixtures in white and color when included in orders of truckload or carload quantities with the following exceptions:

FEDERAL TRADE COMMISSION
Docket No. 6070 Exhibit No. 75-A
In the Matter of: [illegible]
Date 11/12/57 Witness _____ Reporter _____

2266

RX 286

July 15, 1957
DPE-1-57

Wholesalers' Net Prices less 5% will apply to the following Cast Iron fixtures in white when included in orders of TL and CL quantities:

#2110-2111	5' Recess Tubs
#2204	19 x 17 Lavatories
#2210-2211	19 x 17 Lavatories
#2212-2213	19 x 17 Lavatories
#2352	32 x 21 Sink

Steel Fixtures

Wholesalers' Net Prices will apply to steel tubs with the following exception:

Wholesalers' Net Prices less 5% will apply to steel tubs in white and color when ordered in carload quantities.

Wholesalers' Net Prices will apply to all other steel fixtures.

Fittings

Wholesalers' Net Prices will apply to fittings.

Wholesalers' Net Prices will apply to Trap Standards, Seats, etc.

F. W. FENNELL

C. N. Whittaker	J. W. Sant	E. S. Harber
Stanley S. Backner	A. O. Knecht	D. F. McCarthy
L. St. Moritz	W. S. Porter	F. A. Glenn
W. C. Dickey	F. H. Cornelius	F. A. Rippchen
H. P. Wangelin	B. F. Thompson	G. F. Steck
A. H. Shepherd	E. T. Sabin	Sales Representatives
J. M. Patterson	D. W. Erie	A. M. Mackenzie

FEDERAL TRADE COMMISSION
Docket No. 5620 RESPONDENT Exhibit No. 2813

2293

238-135 O - 66 - 6

FEDERAL TRADE COMMISSION
Docket No. 8670 RESPONDENT Exhibit No. 31A
In the Matter of Case Manufacturing Co.
Date 6-11-62 Witness Reporter
Case MANUFACTURING
FEDERAL TRADE COMMISSION
Docket No. 31 A
RX 31A

GENERAL SALES DEPARTMENT

ROBINSON, ILLINOIS January 31, 1961

TO OUR CUSTOMERS:

BOOSTER LINE PRICES

Effective immediately the following wholesalers' net prices will prevail on the popular Booster Line:

SPECIAL PACKAGE DEAL IN TRUCKLOAD LOTS

	White	Color
Package A - #1390 Washdown and 19" x 17" Winchester	$ 22.00	$ 27.25
Package B - #1340 Reverse Trap and 19" x 17" Winchester	22.50	30.15
Package C - #1390 Washdown and 20" x 18" Winchester	23.85	28.95
Package D - #1340 Reverse Trap and 20" x 18" Winchester	24.35	31.85

		Shipping Wt.	LTL up to 2500#		LTL 2500# to 7500#		7500# Pool T/L or 22,000# T/L	
			White	Color	White	Color	White	Color
#1390	Case Ace Washdown Closet with bolt caps and screws, less seat & supply	87	$18.89	24.00	16.15	21.60	15.75	20.20
#1340	Case Ultra Reverse Trap Closet with bolt caps and screws, less seat & supply	86	$21.00	26.25	18.00	23.62	16.50	22.55
#923	19" x 17" Winchester Lav. with #197 Hanger	37	$ 8.29	10.60	7.12	9.54	6.95	8.90
#923	20" x 18" Winchester Lav. with #197 Hanger	38	10.79	13.70	9.25	12.33	8.80	10.60

If anti-syphon ballcock is required add $ .65

ruckload Rate of Freight Allowed up to $2.25 on all shipments over 200#. Pool Truckload of 7500# delivered with only stop-over charge. Full Truckloads of 22,000# Prepaid for Free Delivery.

2% Cash discount, 15th Prox. Other Trade Terms per our Wholesalers' Net Price Sheet.

CASE MANUFACTURING,
Div. of Ogden Corp.

2288

Bulletin R-147

In the
United States Court of Appeals
For the Seventh Circuit

RECEIVED
APR 15 1966
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 14763 SEPTEMBER TERM, 1965 SEPTEMBER SESSION, 1965

UNIVERSAL-RUNDLE CORPORATION, *Petitioner,*
v.
FEDERAL TRADE COMMISSION, *Respondent.*

On Petition to Review an Order of the Federal Trade Commission.

Opinion — OCTOBER 22, 1965.

Before DUFFY, SCHNACKENBERG and KNOCH, *Circuit Judges.*

SCHNACKENBERG, *Circuit Judge.* Universal-Rundle Corporation, a Delaware corporation, by its petition asks us to review and set aside an order of the Federal Trade Commission issued on June 12, 1964 and its order issued on August 4, 1964.[1]

Petitioner is a nationwide manufacturer, distributor and seller of plumbing supplies and equipment, including a complete line of "U-R" brand vitreous china and enameled cast-iron plumbing fixtures. In the sale of its products, petitioner has a wholesaler's net price and also a truckload price which is below the wholesaler's net list price. The truckload price is applicable only to the purchases of a truckload or more of fixtures, and the Commission found that the differentials involved are those averaging 10% between truckload prices and the wholesaler's list prices. A truckload order may consist of, any

[1] At the conclusion of hearings, the examiner made an initial decision which was modified by the Commission's final order.

combination of fixtures and the discount rate on such truckload purchases varies from order to order, depending on the list and truckload prices of the individual fixtures at time of purchase. As to petitioner, the situation in Philadelphia, Pennsylvania, was that Mars Supply Company, a large dealer, was the only one which bought in truckloads. In 1957 its four truckload orders amounted to $23,251.23. At petitioner's wholesaler's net price Mars would have paid $25,795.53, indicating a preferential allowance or discount of about 9.9%. On the basis of such testimony the Commission found that Mars competed with nonfavored customers in Philadelphia through its main store and with nonfavored customers in Camden, New Jersey through its branch store, and also that Mars competed with nonfavored dealers in selling directly to the consumer.

The Commission found price discriminations were sufficient "to give the recipients of the lower prices a substantial advantage over their non-favored competitors" and that such discriminations may be substantially to affect customer competition adversely. In its opinion, and by adopting the examiner's decision as modified, the Commission found that competition in the resale of petitioner's "U-R" brand of plumbing fixtures was keen in the Philadelphia-Camden area; that price was a very important competitive factor in the plumbing-fixture business; that the differentials if reflected in the resale price of the products would have been sufficient to divert business from nonfavored customers to Mars; that the margin of profit in the resale of plumbing fixtures appears to be small; and that a 2% cash discount was essential to a profitable operation. The Commission concluded that under the circumstances "competitive injury may be anticipated if [petitioner's] pricing practices with regard to the sale of its U-R line of products are allowed to continue," and that petitioner's discriminations violated Section 2 (a) of the Clayton Act, as amended.

In this court the conflict between the legal theories of the parties may now be stated in abbreviated form.

Petitioner argues that the evidence showed a lack of competition at the retail level, which precludes a finding of a violation, and also that competition is not adversely

affected as a result of price discrimination in a situation wherein all buyers are free to avail themselves of the lower prices if they desire to do so. It relies on the fact that the discounts in question were available to any purchaser buying in truckload quantities.

Petitioner further contends the failure of the "favored" buyer to avail itself of the discounts found to be discriminatory on a substantial portion of its purchase is not irrelevant, as it demonstrates the lack of competitive significance of the discounts themselves.

The argument is further advanced by petitioner that the finding of intense price competition at the "dealer" level leading to probable diversion is unsupported by, and contrary to, the evidence, and it is error to infer the probable competitive impact of a truckload discount by comparing it to a cash discount, because such discounts are entirely dissimilar in an economic sense, and that the amount of discrimination between competing purchasers is too insubstantial to support the finding of violation.

The Commission's final order of June 12, 1964 rejected the examiner's finding that petitioner's sales to its Camden, New Jersey customers were in interstate commerce, but in other respects agreed with the examiner and denied the appeal from his order. It modified the initial decision accordingly and then adopted it on June 12, 1964.

This action was promptly followed by petitioner's filing with the Commission on July 20, 1964 its petition requesting that further action be stayed to permit the Commission sufficient time to investigate and institute whatever proceedings are deemed appropriate by the Commission to correct an *industry-wide* practice by plumbing fixture manufacturers of granting discounts in prices on truckload shipments.

Petitioner there stated:

> "* * * Such a stay, when followed by appropriate action by the Commission to place all manufacturers in this industry on the same competitive basis, would avoid the obvious competitive disadvantage and extreme hardship under which respondent [petitioner here] would otherwise have to compete and minimize

the probability of any substantial decline in respondent's sales volume which would be a consequence of the Commission's order."

Accompanying the petition were written statements of facts and exhibits indicating that each of the following named competitors of petitioner operates its business on a discount and truckload purchase plan as does petitioner, with however an important exception as to the approximate amount of the average truckload discount allowed by each of said competitors, which the following list shows:

	Average discount Allowed
American Standard[2]	18.0%
Eljer Division of The Murray Corporation of America	18.0%
Rheem Manufacturing Co.	17.5%
Briggs Manufacturing Company	13.0%
Kohler Co.	18.0%
Crane Co.	18.0%

Petitioner called the Commission's attention to the fact that this evidence shows that its competitors use price differentials *far in excess* of the average truckload discount granted by petitioner, as disclosed by the record in this proceeding.

The sworn petition for withdrawal of the order of the Commission also shows that the respective shares of the market enjoyed by the seven principal manufacturers of plumbing fixtures in the United States are, as follows:

1. American Radiator & Standard Sanitary Corporation	32.0%
2. Kohler Co.	15.0%
3. Eljer Division of The Murray Corporation of America	10.0%
4. Crane Co.	9.0%
5. Briggs Manufacturing Company	6.0%
6. Universal-Rundle Corporation	5.75%
7. Rheem Manufacturing Co.	5.0%

[2] It appears to be a division of American Radiator & Standard Sanitary Corporation.

However, the petition of July 20, 1964 was denied on August 4, 1964.

It is apparent that the Commission has directed its attack against a general practice which is prevalent in the industry. However, it has not aimed at the entire industry or at any of the largest manufacturers in the group. It has selected one whose share of the market is less than 6%, although the practice complained of is common to the industry. The obvious injustice of this method of reaching an industry-wide problem lies, not only in the selection of one of the smallest participants marketwise as a target, but also in the fact that the target selected is charged with allowing an average truckload discount of 10% when its competitors are granting average truckload discounts running between 13% and 18%.

This inequitable approach to the solution of an antitrust problem, submitted to us because of the action of the Federal Trade Commission in centering this proceeding solely on petitioner, was unjustified. Its contrary determination was a patent abuse of discretion and must be overturned. *Moog Industries* v. *Federal Trade Commission,* 355 U. S. 411, 414. We cannot, in the name of an antitrust prosecution, lend our support to the sacrifice of a comparatively small manufacturer, when its larger and more guilty competitors are not prosecuted.

We are not convinced that the Clayton Act requires us to approve the imposition of sanctions upon only one of the smallest of a group of law violators. If we did, the giants in the field would be the real benefactors—not the public.

No reason is apparent why the Commission did not bring in these larger competitors and seek a final decree covering all of them. They are not numerous. The industry is, according to the record, limited to a few. This case is thus distinguishable from *E. Edelmann & Co.* v. *Federal Trade Commission,* 7 Cir., 239 F.2d 152 (1956); cert. denied 355 U.S. 941 (1958). Moreover, in that case it appears, at 156, that the discount system employed by petitioner Edelmann was not the same as that of its two principal competitors and Edelmann did not establish that its lower price was made in good faith to meet a competitor's equally low price.

The Commission now relies on *C. E. Niehoff & Co.* v. *Federal Trade Commission*, 241 F. 2d 37 (1957) where we stayed the effective date of a Commission order, under the circumstances of that case, and its subsequent reversal, *sub nom, Moog Industries* v. *Federal Trade Commission, supra.* While we had affirmed the Commission's determination of statutory violation, we directed that the cease and desist order should take effect "at such time in the future" as we might direct and hence our order was reversed, as aforesaid. The Supreme Court, at 414, recognized that, if the Commission had patently abused its discretion in determining that its order should not be held in abeyance until respondent's competitors were proceeded against, a court of appeals might overturn the Commission's determination. That is the situation now before us.

Counsel for the Commission admit in their brief in this court "petitioner submitted specific information to the Commission tending to show current violation of Section 2 (a) by two of its competitors" and that it also was "conducting another investigation of one of the companies, which, *although not involving* Section 2 (a) of the *Clayton Act,* might indicate whether that section was being violated." (Italics added.) This brought about the investigation by the antitrust division of the Department of Justice of those two competitors.

In the case at bar, it appears that, by letter dated *April 19, 1965,* Commission counsel wrote to petitioner's counsel herein that the reason the Commission would not *then* undertake any industry-wide investigation of petitioner's competitors was that such an investigation "would conflict with an investigation *now* being conducted by the Antitrust Division of the Department of Justice". We are not impressed by this reference to a belated investigation conducted in *1965* which was many months after the proceeding before the Commission occurred and the entry of the orders of the Commission which we are now reviewing. Even if not tardy, such an investigation by the Department of Justice does not qualify as an investigation by the Commission, which, in our opinion, was the agency which was called upon to act in all matters pertaining to the case at bar. We hold that the duty of

the Commission to bring into the case before it petitioner's powerful competitors could not be excused or condoned by the Commission asserting, after it had by its order condemned petitioner, that a branch of the executive department of the government had commenced an investigation.

An investigation of an industry is germane to a proceeding before the Commission, and it has a duty to so investigate in a proper case. We have already indicated our view that petitioner's showing was sufficient to require the Commission to make petitioner's competitors parties thereto. The Commission was the proper forum to receive and act upon the result of such an investigation. Recently, in an address before the Bar Association of the District of Columbia, Commissioner Jones (of the present Commission) stated February 25, 1965:

> "Industry-wide enforcement of the law is almost a constitutional imperative as a matter both of fairness and equality before the law. It is clear that we have no right to and could not permit some law violators to go free while prosecuting others. • • •"

For the reasons herein set forth, the order of the Commission entered August 4, 1964 is set aside and this cause is remanded for further proceedings as prayed in the petition of Universal-Rundle Corporation filed July 20, 1964. We reserve our ruling on the petition to set aside the final order of June 12, 1964.

ORDER OF AUGUST 4, 1964 SET ASIDE AND CAUSE REMANDED, WITH INSTRUCTIONS. RULING RESERVED AS TO ORDER OF JUNE 12, 1964.

Opinion by Judge Schnackenberg

In the United States Court of Appeals

For the Seventh Circuit

~~Chicago, Illinois 60604~~

~~Friday~~, October 22, 19 65

Before

Hon. F. RYAN DUFFY, Circuit Judge

Hon. ELMER J. SCHNACKENBERG, Circuit Judge

Hon. WIN G. KNOCH, Circuit Judge

UNIVERSAL-RUNDLE CORPORATION, Petitioner,		Petiton for review of an order of the Federal Trade Commission.
No. 14763	vs.	
FEDERAL TRADE COMMISSION, Respondent.		

Order remanding case to Federal Trade Commission

This cause came on to be heard on the petition for review of orders of the Federal Trade Commission and the record from the Federal Trade Commission, and was argued by counsel.

On consideration whereof, it is ordered by this Court that the order of the Federal Trade Commission entered August 4, 1964, be, and the same is hereby set aside, and that this cause be, and the same is hereby REMANDED to the Federal Trade Commission for further proceedings as prayed in the petition of Universal-Rundle Corporation filed July 20, 1964, in accordance with the opinion of this Court filed this day.

This Court reserves ruling on the petition to set aside the final order of June 12, 1964.

United States Court of Appeals

For the Seventh Circuit

~~Chicago, Illinois 60604~~

FRIDAY, December 17, 1965

Before

Hon. JOHN S. HASTINGS, Chief Judge
Hon. F. RYAN DUFFY, Circuit Judge
Hon. ELMER J. SCHNACKENBERG, Circuit Judge
Hon. WIN C. KNOCH, Circuit Judge
Hon. LATHAM CASTLE, Circuit Judge
Hon. ROGER J. KILEY, Circuit Judge
Hon. LUTHER M. SWYGERT, Circuit Judge

UNIVERSAL-RUNDLE CORPORATION,
Petitioner,

No. ~~14763~~

vs.

~~FEDERAL TRADE COMMISSION,~~
Respondent.

Petition for review of an order of the Federal Trade Commission.

IT IS ORDERED by the Court that the petition of the Federal Trade Commission for a rehearing en banc be, and the same is hereby DENIED.

(SWYGERT, C.J. voted to grant the petition for rehearing en banc).

Supreme Court of the United States

No. ---------- , *October Term, 19* 65

FEDERAL TRADE COMMISSION,

Petitioner,

vs

UNIVERSAL-RUNDLE CORPORATION

ORDER EXTENDING TIME TO FILE PETITION FOR WRIT OF CERTIORARI — March 17, 1966

UPON CONSIDERATION of the application of counsel for petitioner(s),

IT IS ORDERED that the time for filing a petition for writ of certiorari in the above-entitled cause be, and the same is hereby, extended to and including April 16th, 19 66

Tom C. Clark

Associate Justice of the Supreme Court of the United States

Dated this 17th day of March, 1966

Supreme Court of the United States

No. 101 ---, October Term, 19 65

Federal Trade Commission,

Petitioner,

v.

Universal-Rundle Corporation

ORDER ALLOWING CERTIORARI. ~~Filed~~ October 10 ------, 1966

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh ---------- Circuit is granted, and case placed on the summary calendar.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

U. S. GOVERNMENT PRINTING OFFICE : 1966 O - 238-135